
AGENDA

BOTHELL PLANNING COMMISSION

HYBRID MEETING

Bothell City Hall, 18415 101st Avenue NE
October 5, 2022, 6:00 PM

TO ATTEND THE MEETING:

- Join us in person at City Hall in Council Chambers – 18415 101st Avenue NE
- Watch the meeting LIVE online on the City of Bothell YouTube Channel
- Watch the meeting live on BCTV Cable Access Channels 21/26 (must have Zply Fiber/Comcast Cable)
- Attend the meeting by Zoom:
 - Click this link (or copy the URL and paste into a web browser):
<https://us02web.zoom.us/j/87550953978>
 - Call-in to the Zoom meeting by dialing 253-215-8782 and entering 875 509 53978#
- To provide public comments/testimony or to submit written comments please email imaginebothell@bothellwa.gov by 3:00 PM. (day of the meeting)

Planning Commission meetings are also recorded and available the next day on the [City of Bothell YouTube Channel](#).

1. **CALL TO ORDER:**

2. **PUBLIC COMMENTS: Items not on the agenda**

If you wish to comment (either in writing or orally) please submit your comments or request to imaginebothell@bothellwa.gov prior to 3PM (day of meeting). Persons making oral comments will be allowed 3 minutes to speak. All comments will be made part of the record.

3. **APPROVAL OF MINUTES:** September 21, 2022

4. **NEW BUSINESS:**

5. **PUBLIC HEARING:** Middle Housing Code Amendments (*continued*)

6. **UNFINISHED BUSINESS:**

7. **REPORTS FROM STAFF:**

8. **REPORTS FROM MEMBERS:**

9. **ITEMS TO REPORT TO COUNCIL:**

10. **ADJOURNMENT:**

September 21, 2022 Minutes

BOTHELL PLANNING COMMISSION MINUTES

REGULAR MEETING – September 21, 2022

This is a hybrid meeting hosted in person at City Hall as well as online via Zoom. Some commissioners, staff, and attendees were present via Zoom, and some were present in person.

COMMISSIONER ATTENDANCE: Present were, Carston Curd, Amanda Dodd, Sarah Gustafson, Claire Robson, and Cary Westerbeck

COMMISSIONERS ABSENT AND EXCUSED: Kevin Kiernan and Toni Anders

CITY STAFF PRESENT: Senior Planner Dave Boyd, Transportation Planner Sherman Goong, and Capital Projects Manager Steven Morikawa

GUESTS PRESENT (via Zoom Webinar): Mike Stanger of ARCH

ATTENDEES PRESENT (via Zoom Webinar):

CALL TO ORDER: The Regular Meeting of the Bothell Planning Commission was called to order by Vice Chair Curd at 6:01 p.m.

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

DODD MOVED TO APPROVE THE MINUTES FOR SEPTEMBER 7, 2022. GUSTAFSON SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

NEW BUSINESS: None

PUBLIC HEARING: Bike Plan

Vice Chair Curd opened the public hearing and introduced Transportation Planner Sherman Goong and Capital Projects Manager Steven Morikawa who gave a presentation and addressed clarifying questions.

Discussion ensued.

WESTERBECK MOVED TO CONTINUE THE PUBLIC HEARING TO OCTOBER 19, 2022. DODD SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

PUBLIC HEARING: Parking Reductions Near Frequent Transit (*continued*):

Vice Chair Curd opened the public hearing on Parking Reductions Near Frequent Transit. Senior Planner Boyd made a presentation and answered clarifying questions.

Discussion ensued.

DODD MOVED TO ACCEPT THE FINDINGS, AMENDMENTS, AND EXHIBITS. GUSTAFSON SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

UNFINISHED BUSINESS: None

REPORTS FROM STAFF: None

REPORTS FROM MEMBERS:

- Commissioner Curd reported on the successful Middle Housing Walking Tour
- Surface Water Management is requesting feedback on their 2022 Storm Water Management Plan
- North Creek Trail phase is done and there will be a ribbon cutting
- Commissioner Westerbeck reported that there is a City of Kenmore presentation on “Missing Middle” happening and it would be worth watching the recording

ITEMS TO REPORT TO CITY COUNCIL: None

ADJOURNMENT:

DODD MOVED TO ADJOURN. WESTERBECK SECONDED AND IT PASSED WITH ALL PRESENT IN FAVOR.

The meeting was adjourned at 7:51 p.m.

Public Hearing
Middle Housing Code
Amendments (*continued*)

MEMORANDUM

Community Development Department



City of Bothell

DATE: October 5, 2022
TO: Planning Commission
FROM: Dave Boyd, Senior Planner

A handwritten signature in black ink, appearing to read "Dave Boyd".

SUBJECT: Middle Housing Code Amendments Public Hearing

Purpose/Action

The purpose of this continued public hearing is to further and potentially conclude the Planning Commission review of potential code amendments for middle housing options, including allowing middle housing options in new single-family subdivisions with a density bonus and affordable housing requirement, allowing middle housing options on existing single-family lots and removing barriers to accessory dwelling units (ADUs).

This public hearing will also include further information on the Department of Commerce middle housing outreach and implementation grant award and additional comments received from development review staff and utility districts that serve Bothell. At the July 20 hearing Commission made it clear that there was a strong desire to make a recommendation on October 5, and staff has endeavored to prepare amendments ready for a recommendation. Additional amendments may arise from the middle housing outreach and implementation work, which could be brought back to Planning Commission with direction from City Council.

Background

Please see the March 16 middle housing memo for a detailed description of background on this subject.

Outreach

Please see the June 15 middle housing memo for a detailed description of outreach to date on this subject and the online survey results.

Preliminary Draft Findings and Code Amendments

Revised draft Findings, Conclusions and Recommendation, including potential code amendments as Exhibit A to the Findings, are included as Attachment 1 and 1a, respectively. Both the Findings and code amendments have been revised to reflect comments from Planning Commission at the July 20 hearing, as well as comments from legal and development review staff and utility districts serving Bothell. The text boxes in the draft code also include some key questions for the Commission.

Next steps

Staff recommends a motion and vote to approve the proposed Findings and attached code amendments to Council.

Attachments

1. Draft Findings, Conclusions and Recommendations
 - a. Exhibit A to Findings: Memo on proposed code amendments
 - b. Exhibits 1-13 to the Findings

Attachment 1

Middle Housing Code Amendments

DRAFT Planning Commission Findings, Conclusions and Recommendation

Findings

1. **History.** This item was initiated by City Council as part of the 2021 Docket of Plan and Code Amendments, with at least one aspect (cottage housing) dating to the 2020 Docket.
2. **Geographic Location.** The proposed code amendments would apply to single-family zones citywide and middle housing types in other zones near transit and trails.
3. **Proposed Action.** The proposed code amendments would encourage middle housing in the City of Bothell, including:
 - a. Allow middle housing in new subdivisions with density bonuses and affordability provisions.
 - b. Allow middle housing in existing single-family zones, including modification of lot size requirements where existing housing is retained and new middle housing is provided.
 - c. Revise accessory dwelling unit (ADU) regulations to remove impediments and encourage more ADUs in residential developments.
 - d. Parking reductions for middle housing in all zones within one-half mile from frequent transit or regional trails.
4. **Public Meetings.** The Planning Commission held a study session on November 3 and December 18, 2021, and February 16, March 16, and April 6, 2022; a community forum on May 31, 2022; and a public hearing on June 15, July 20, and October 5, 2022 regarding the proposed code amendments.
5. **Public Notice.** Public notice for the proposed code amendments was provided through the following methods:
 - a. *Imagine Bothell...* notice. The City of Bothell provides a monthly notice to citizens, interested parties and news media which, in general, describes upcoming hearings, the topics of those hearings, and explains potential ramifications of decisions which may occur from actions of the City. This notice is provided at the end of the month for the subsequent month's hearing schedule. The *Imagine Bothell...* notice also contains information which directs inquiries to city staff, the City web page, and telephone contact numbers.

Notice of the public meeting dates for the proposed code amendment was published in the November and December 2021 and February, March, April, May, June, July and October 2022 editions of the *Imagine Bothell...* notice.
 - b. The *Imagine Bothell...* notice is sent via e-mail and/or regular U.S. Postal Service mail to all parties who have signed up for the service.

- c. The *Imagine Bothell...* notice is published in the *Seattle Times*, the City's Newspaper of Record.
- d. The *Imagine Bothell...* notice is also posted on the City's web page at www.bothellwa.gov.
- e. The City maintains a number of public notice boards which are placed throughout the City at certain accessible and visible locations. Each of these notice boards contains a plastic box where extra copies of the *Imagine Bothell...* notice are stored and are available for retrieval by any interested citizen. These boxes are filled with paper copies of the notice each month.
- f. The *Imagine Bothell...* notice is also publicly posted at City Hall, the Municipal Court Building, and the Bothell Post Office.

Planning Commission Deliberations and Specific Findings

- 6. The Planning Commission makes the following specific findings regarding the proposed code amendments. These findings are based upon information provided to the Planning Commission by staff, public testimony the Planning Commission received during the study session, community forum and public hearing, and Planning Commission deliberations.
- 7. The Puget Sound region is experiencing a housing crisis, with 1.8 million in new population projected by 2050 per the Puget Sound Regional Council. There is an urgent need to allow and facilitate new housing in urbanized areas with existing infrastructure, and to promote affordable housing options in a variety of ways.
- 8. Middle housing has provided affordable housing options in traditional American residential development, but is no longer allowed in most exclusively single-family zones. Allowing such housing in structures matching the scale of single-family homes throughout Bothell's single-family zones will create new options while maintaining their scale and character.
- 9. Providing density bonuses for new subdivisions, along with affordable housing requirements calibrated to share the benefit between developers and the public is appropriate to create permanent, contractually obligated affordable housing options.
- 10. Removing restrictions to accessory dwelling units will further encourage this form of middle housing and affordable housing options.
- 11. Provisions to encourage retention of existing housing when adding middle housing promotes both environmentally sustainable and affordable development.
- 12. Applying parking reductions adopted for corner-lot duplexes near transit and trails to other types of middle housing will facilitate development of those generally more affordable forms of housing.
- 13. Beyond the limited scope of these amendments, additional work should be done to promote middle housing through education and outreach, with consideration given to implications for displacement and equity.

14. Also beyond the limited scope of these amendments, additional work should be done to identify impediments to middle housing in Bothell's Design and Construction Standards and Specifications, requirements of other utility districts within Bothell, applicable building codes, and legal requirements.
15. **Consistency with *Imagine Bothell...* Comprehensive Plan Goals and Policies.**
Several Goals and Policies in the Land Use, and Housing & Human Services Elements of the Comprehensive Plan support these amendments:

LU-G4 To provide for development first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.

HHS-P13 Promote an appropriate supply and mix of densities and housing types to meet the needs of people who work and desire to live in Bothell, especially near existing and planned transportation and employment centers.
16. **Department of Commerce Review.**
The proposed code amendments will be sent to the Department of Commerce for expedited review following the Planning Commission recommendation.
17. **State Environmental Policy Act (SEPA) Review.**
A SEPA Determination of Non-Significance (DNS) will be issued for the proposed code amendments prior to consideration by City Council.
18. **List of Exhibits** (to date – see also Planning Commission packets on City of Bothell website)
 1. Snohomish County–Camano Association of Realtors letter, February 15, 2022
 2. Bill Moritz email and staff response, May 30, 2022
 3. Sandy Alto email, June 3, 2022
 4. Portland cottage housing report from Planning Commissioner Carston Curd, received June 9, 2022
 5. Megan Mahre email, June 8, 2022
 6. Karin Eastby letter, Government Affairs and Outreach Specialist, Master Builders, June 14, 2022
 7. Robert Farra email, July 18, 2022
 8. Ardis Schmeige email, June 14, 2022
 9. Brett Downey email, July 19, 2022
 10. Dennis LeMaster email, July 20, 2022
 11. Ardis Schmeige email and staff responses, July 20, 2022
 12. Carl Wellstein email, July 20, 2022
 13. Justin Bouffard email, July 20, 2022
19. **Public Testimony** (to date - see video recordings on City of Bothell website for detailed testimony)

February 2, 2022 (Study Session on Parking Reductions Near Transit):
Ann Aagaard, Norway Hill resident, spoke also on middle housing

February 16, 2022

Karin Eastby, Government Affairs and Outreach Specialist, Master Builders Association of King and Snohomish Counties

March 16, 2022

Mack Carter, 19115 103rd Ave NE

June 15, 2022

- Scott and Maggie Shiflett, 10533 NE 190th
- Karin Eastby, Government Affairs and Outreach Specialist, Master Builders Association of King and Snohomish Counties

July 20, 2022

- Justin Bouffard
- Bob Farra
- Ryan Donohue
- Laura Sagen
- Erin Sagen
- Mack Carter

October 5, 2022: tbd

Conclusions

1. The recommended code amendments have been drafted, noticed, reviewed by the public and considered by the Planning Commission in accordance with all applicable laws of the State of Washington and the City of Bothell.
2. The recommended code amendments are necessary to provide options for residential development and related affordable housing provisions.
3. The recommended Code amendments are in the best interest of the public health, safety and welfare.

Recommendation

Based upon these findings and conclusions, the Planning Commission recommends the City Council adopt the code amendments in Exhibit A to these Findings, Conclusions and Recommendation.

Kevin Kiernan, Planning Commission Chair



Memorandum

To: Dave Boyd, Senior Planner
Bothell Planning Commission

From: Serah Breakstone, AICP
Sierra Carson, AICP

Copies: Cristina Haworth, AICP, File

Date: September 27, 2022

Subject: Bothell Middle Housing Code Amendments Revised Recommendations

Project No.: 33255.A

This memo presents updated code amendments to help the City of Bothell facilitate more middle housing development and achieve more affordable units. Updates are based on conversations with the Planning Commission, City staff reviews, and a community survey. Code amendments are presented in underline/strikethrough format where red underlined text indicates new language and red strikethrough text indicates deleted language. Blue underlined text designates existing hyperlinks – additional hyperlinks will likely be added. Skipped sections are marked by ellipses: ... Brief commentary that summarizes proposed amendments for each section is also provided, in some cases with questions for consideration, sometimes accompanied by highlighted text in the relevant following text.

Title 11 Administration of Development Regulation

Amendments to this section are intended to provide information about middle housing types and clarify how those housing types are defined relative to other housing types in Bothell.

- *Revise definitions for types of residential structures for consistency and clarity.*
- *Include new definitions for multifamily, cottage housing, courtyard apartment and middle housing in general. The new definition for cottage housing is intended to allow maximum flexibility.*

Questions:

1. *Should townhomes be included with the definition of “middle housing”?*
2. *Should courtyard apartments be included?*
3. *How should different middle housing types be allowed (or not allowed) on a single parcel?*
4. *Should ADUs be allowed for all single-family, middle housing, and/or multifamily dwelling units? How should ADUs be limited on lots with middle housing and/or multifamily housing?*
5. *Should any limitations on ADUs be included in the definition of “dwelling unit, accessory,” or should they be placed in the ADU regulations in 12.14.135?*

11.02 Definitions

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11.02.004 "C."

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"Cottage" means a detached, primary dwelling unit with a footprint of 1,000 square feet or less.

"Cottage housing" refers a grouping of cottages located on a single lot or parcel that includes a common open space.

...

"Courtyard housing" means a multifamily structure on a lot consisting of multiple side-by-side and/or stacked primary dwelling units oriented around a courtyard where the ends of an L- or U-shaped building face the street(s) and have similar scale to single-family homes.

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11.02.005 "D."

...

"Duplex" means two primary dwelling units on a lot or parcel in any configuration. Two cottages located on a single lot or parcel that meet the definition of cottage housing are not a duplex. A single-family dwelling unit with an attached or detached accessory dwelling unit is not a duplex.

...

"Dwelling unit" means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

"Dwelling unit, accessory" means a secondary dwelling unit with complete and independent living facilities on the same lot as an existing primary dwelling unit. Accessory dwelling units (ADUs) can be detached or attached to a primary dwelling unit. an additional room or set of rooms secondary to a single-family structure and designed, arranged, occupied or intended to be occupied by not more than one household as living accommodations independent from any other household. An accessory dwelling unit may be within or detached from a primary single-family dwelling.

"Dwelling unit, fourplex" means four primary dwelling units on a lot or parcel in any configuration. "Dwelling unit, fourplex" means the same thing as "fourplex." Four cottages located on a single lot or parcel that meet the definition of cottage housing are not a fourplex.

"Dwelling unit, multifamily" means a single structure containing five or more primary dwelling units.

"Dwelling unit, single-family attached" means a dwelling unit designed for occupancy by one family located on an individually-owned lot and sharing at least one wall with another attached dwelling unit.

"Dwelling unit, ~~one unit per structure, detached~~ single-family detached" means a primary dwelling unit on a single-family lot surrounded on all sides by open space and not sharing walls with other primary dwelling units. "~~Dwelling unit, one unit per structure, detached~~" and means the same thing as "single-family dwelling unit, one unit per structure, detached" and "single-family residence."

"Dwelling unit, three or more units per structure" means a dwelling unit located in a structure containing three or more dwelling units. "~~Dwelling unit, three or more units per structure~~" means the same thing as "multifamily dwelling unit," "multifamily residence" and "apartment."

"Dwelling unit, triplex" means three primary dwelling units on a lot or parcel in any configuration. "Dwelling unit, triplex" means the same thing as "triplex." Three cottages located on a single lot or parcel that meet the definition of cottage housing are not a triplex.

~~“Dwelling unit, two units per structure” means a dwelling unit located in a structure containing two dwelling units.
“Dwelling unit, two units per structure” means the same thing as “duplex.” A single family dwelling containing an accessory dwelling unit shall not be interpreted as a duplex.~~

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11.02.009 “H.”

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~~“Housing, affordable” shall have the same meaning as provided for the term under BMC 12.07.015. means a dwelling unit where the monthly rental, lease, or mortgage plus utilities, and other housing costs requires no more than 30 percent of the gross household income for households whose incomes are 80 percent or less of the median annual income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area.~~

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11.02.040 “L.”

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~~“Lot, single-family” means a lot used as permanent residency for a single family and containing a single primary dwelling unit.~~

...

11.02.050 “M.”

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~~“Middle housing” means duplexes, triplexes, fourplexes, cottage housing, and courtyard housing.~~

...

11.02.120 “T.”

...

~~“Townhouse” means a duplex or multifamily structure of two or three stories, not counting a basement, in which the dwelling units share common walls and have separate entrances.~~

...

Title 12 Zoning

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12.06 Permitted Uses

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Amendments to this section are intended to provide more flexibility/allowances for middle housing types, specifically triplex, fourplex, and cottage housing developments. They also expand allowances for duplexes.

- *Revise residential use table to allow duplexes in all zones, remove corner-lot-only limitation so duplexes can be allowed anywhere.*
- *Add triplex and fourplex as permitted uses in residential zones.*

12 .06.140 Residential uses.

A. Use Table.

Residential Uses	Zoning Classification					
	R 40,000	R 9,600 R 8,400 R 7,200	R 5,400d R 5,400a	R 4,000	R 2,800	R-AC
Dwelling units, accessory (4)	P	P	P	P	P	P
Dwelling units, primary, one unit per structure, detached (“single-family”) (5)	P	P	P	P	P	P
Dwelling units, primary, two units per structure (“duplex”) Middle housing (6)(16) (18)	P (18)	P (18)	P (R 5,400a) P (R 5,400d) (18)	P	P	P
Dwelling, multifamily units, primary, three or more units per structure (“multifamily”) (6)			P (R 5,400a)	P	P	P

P: Permitted Use
C: Conditional Use
Numbers in parentheses reference use-specific development and operating conditions under subsection B of this section.

B. Development Conditions

...

4. Accessory dwelling units are permitted when added to, created within, or detached from a primary dwelling unit subject to the restrictions in BMC 12.14.135.

5. Detached primary dwelling units, or single-family dwelling units, include site-built homes, type A manufactured homes and modular homes. Modular homes on individual lots shall incorporate design features of typical site-built homes including but not limited to modulation, articulation, sloped roofs, and wood siding or siding of a material which imitates wood.

~~6. In the R 5,400d zone, permitted primary dwelling units are detached single family dwellings only except duplexes constructed pursuant to subsection (B)(18) of this section.~~ In the R 5,400a zone, permitted primary dwelling units may include ~~detached single family dwellings, duplexes, and/or~~ multifamily units, in accordance with subarea regulations.

...

~~16. Except when a duplex is constructed pursuant to subsection (B)(18) of this section, duplexes shall be permitted on individual lots within specific subareas only when such duplexes are used to satisfy the affordable housing requirements of Chapter 12.07 BMC. Duplexes installed to meet affordable housing requirements may be exempt from the side-yard setback provisions for the common wall(s) between the duplex units; provided, however, that all duplex structures shall be consistent with all setbacks from exterior property lines pursuant to BMC 12.14.030.~~

...

The following provisions are moved to 12.14.134 and applied to all middle housing.

~~18. Duplexes are allowed on corner lots in all residential zones. The following incentives apply when a corner lot duplex is created by retaining and renovating an existing dwelling unit:~~

- ~~a. Legally established nonconforming building setbacks and height can be matched in any building addition or expansion necessary to convert the existing dwelling unit to a duplex; and~~
- ~~b. Maximum building coverage set forth in BMC 12.14.030(A) can be increased by 10 percent; and~~
- ~~c. Maximum hard surface coverage set forth in BMC 12.14.030(A) can be increased by 10 percent.~~

Middle housing is allowed in all residential zones, subject to the provisions in BMC 12.14.134.

The following provisions prevent new owners association restrictions on middle housing. These could potentially be moved to Title 15, with a reference to that section here.

C. A provision in a recorded instrument affecting real property is not enforceable if:

- 1. The provision would allow the development of a single-family dwelling unit on the real property but would prohibit the development of any one or more of the following types of residential uses on the real property: accessory dwelling units, middle housing, multifamily dwelling units, or affordable housing; and
- 2. The instrument was executed on or after the effective date of this subsection.

D. Nothing in Subsection (C) above authorizes the development of any of the residential uses described in Subsection (C)(1) above on real property where such residential use is prohibited on the real property under Title 12 BMC.

...

12.07 Affordable Housing

Revising the affordability requirements to include new subdivisions eligible for the middle housing density bonus. A potential revision to change the threshold from 5 units to 10 units is included, per Commission direction, to reflect the increase in short plats to nine lots, to reduce fractional units that could require an in-lieu fee, and to avoid encumbering smaller infill developments. In-lieu fees could still be used for fractional units, and would be used to fund affordable housing projects serving lower income households.

...

12.07.020 Location of affordable housing programs.

A. Downtown Subarea:

- 1. Within the Downtown Transition District Affordable Housing Overlay, affordable housing is required as provided in BMC [12.64.103\(B\)\(3\)](#).
- 2. Within the SR 522 Corridor District Affordable Housing Overlay, affordable housing is required as provided for in BMC [12.64.104\(B\)\(4\)](#).
- 3. Within the SR 522 Corridor District outside the Affordable Housing Overlay, voluntary affordable housing incentives are available as provided in BMC [12.64.104\(B\)\(5\)](#).

4. Within the General Downtown Corridor District, affordable housing is required as provided for in BMC [12.64.105\(B\)\(4\)](#). (Ord. 2360 § 2, 2021; Ord. 2325 § 3, 2020; Ord. 2270 § 2, 2018).

B. Within new subdivisions, affordable housing is required consistent with 12.07.030 below. The affordability requirement applies only to subdivisions created after adoption of middle housing density bonus provisions in 12.14.030.

12.07.030 General affordable housing requirements.

The provisions of this chapter shall apply to all affordable housing units required by, or allowed through, any chapter of the Bothell Municipal Code, except as otherwise provided by this code.

A. Threshold for Compliance.

1. For Affordable Housing Overlays: All developments creating **five ten** or more new dwelling units shall provide for affordable dwelling units within the development or provide other methods of creating affordable housing as provided in BMC [12.07.050](#). Adjacent developments by the same developer will be considered as a single development for the purpose of applying the threshold for compliance.

...

12.14 Area, Dimensions, and Design

Updating the development standards table and associated provisions to accommodate middle housing development and provide flexible development standards. Also providing updates to establish the density bonus for new subdivisions where middle housing is allowed (see new Note 12).

- *Should maximum lot size be adjusted for cottage and courtyard housing?*
- *Should minimum lot area for R 8,400 through R 5,400d be revised to allow reductions to the next more dense zone, similar to the allowance for R 9,600? Or should changes as shown in (7) below be made? If so, should that be allowed only as an incentive for middle housing?*

...

12.14.030 Residential area and dimensions.

A. Development Standards Table.

Residential Development Standards (1)	Zoning Classification								R-AC (always in combination with OP, NB, CB, and/or LI)
	R 40,000	R 9,600	R 8,400	R 7,200	R 5,400d	R 5,400a	R 4,000	R 2,800	
Minimum lot area per single-family dwelling unit, duplex, triplex, or fourplex (square feet) (2)(10)(11)(12)	40,000	9,600 avg.; 8,400 min. per BMC 12.14.030 (B)(2)	8,400	7,200	5,400	None	None	None	None

Residential Development Standards (1)	Zoning Classification								
	R 40,000	R 9,600	R 8,400	R 7,200	R 5,400d	R 5,400a	R 4,000	R 2,800	R-AC (always in combination with OP, NB, CB, and/or LI)
Minimum land area per multifamily dwelling unit (square feet) (3)						5,400	4,000	2,800	None (9)
Maximum lot area per single-family dwelling unit, duplex, triplex, or fourplex (square feet) (2)	150% of underlying zone	150% of underlying zone	150% of underlying zone	150% of underlying zone	150% of underlying zone				
Minimum density (3)(6)						150% of underlying zone	150% of underlying zone	150% of underlying zone	As established for designated centers (6)
Minimum lot circle diameter (4)	150	70 – 80 per BMC 12.14.030(B)(4)	70	60	50	None	None	None	None
Minimum front yard setback (5)(10)	30	20	20	20	20	20	20	20	As established for designated centers (6) or for associated commercial designations See BMC 12.14.040(A)
Minimum rear yard setback (5)(10)	35	15	15	15	15	15	25	25	
Minimum side yard setback: One side yard Combined side yards (5)(10)(11)	5 15	5 15	5 15	5 15	5 15	5 15	5 15	5 15	

Residential Development Standards (1)	Zoning Classification								
	R 40,000	R 9,600	R 8,400	R 7,200	R 5,400d	R 5,400a	R 4,000	R 2,800	R-AC (always in combination with OP, NB, CB, and/or LI)
Maximum building height (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	30 35 in certain situations (6)	35	35, or as established for designated centers (6)	
Maximum building coverage (7)	35%	35%	35%	35%	35%	50%	50%	50%	
Maximum accessory building coverage (8)	5%	5%	5%	5%	5%	5%	5%	5%	As established for designated centers (6) or for associated commercial designations
Maximum hard surface coverage (7)	35%	45%	50%	65%	70%	70%	75%	75%	80%
	The area within the front yard setback shall not contain any hard surface except for driveways, walkways, and structures allowed to project into the setback in accordance with BMC 12.14.090 . If critical areas are present anywhere on the property, impervious surface coverage is further regulated by BMC Title 14 , Environment.					If critical areas are present anywhere on the property, impervious surface coverage is further regulated by BMC Title 14 , Environment.			

B. Notes.

...

2. ~~Single-Family~~ Minimum, Average and Maximum Lot Area.

a. In the R 40,000, ~~R 8,400, R 7,200 and R 5,400d~~ zones, no lot shall be less than the minimum lot area ~~per single-family dwelling unit~~, except as may otherwise be permitted under an approved planned unit development, in accordance with Chapter [12.30](#) BMC or under Fitzgerald/35th Avenue SE Subarea regulations in accordance with Chapter [12.52](#) BMC. ~~No more than one primary dwelling unit shall be placed on a lot.~~

~~b. In the R 9,600 zone, subdivisions shall achieve an average of no less than 9,600 square feet per lot, except as may be otherwise permitted under an approved planned unit development, in accordance with Chapter [12.30](#) BMC or under Fitzgerald/35th Avenue SE Subarea regulations in accordance with Chapter [12.52](#) BMC.~~

~~That is, the total area of all lots within a proposed subdivision divided by the number of lots shall amount to an average lot area of at least 9,600 square feet. Twenty percent of the lots in a subdivision may be smaller than 9,600 square feet, but no lot shall be smaller than 8,400 square feet, nor larger than 14,400 square feet. No more than one primary dwelling unit shall be placed on a lot. Rounding up to attain the minimum lot area is not permitted.~~

b. Lot size averaging in land divisions. Lot size averaging applies in all residential zones except R40,000.

(1) When creating new residential lots through land division, individual lots shall be considered in compliance with minimum lot size requirements if the average of the areas of all the lots in the land division meets the minimum requirement for the base zone in which the land division is located, provided:

(2) That no individual lot therein shall be reduced below the minimum lot size for the next densest zone. For example, lots in the R8,400 zone may not be reduced below 7,200 square feet and lots in the R7,200 zone may not be reduced below 5,400 square feet; and

(3) A reduction of up to 30 percent of the required lot width may be applied to reduced lots, except for lots created for townhomes, which shall not be reduced below 20 feet in width.

c. In order to promote efficient use of land, no subdivision shall contain any lot having more than one and one-half times the minimum lot area in the R 40,000, R 8,400, R 7,200 and R 5,400d zones, or one and one-half times the average lot area in the R 9,600 zone (i.e., 14,400 square feet), except as follows:

(1) Any subdivision of nine lots or fewer may contain larger lots, but the property lines of such a subdivision shall be laid out so as to allow future subdivisions which comply with this subsection;

(2) A subdivision of 10 or more lots may contain larger lots to accommodate phasing of the subdivision; provided, that at completion of all phases, the subdivision complies with this subsection;

(3) A subdivision of 10 or more lots may contain a larger lot to permit the preexisting house and any related outbuildings and grounds to be retained intact on one property;

(4) These maximum lot size regulations do not apply to any common tracts for critical area protection, open space retention, storm water retention/detention or other purposes as may be required by the city as a condition of subdivision approval.

...

There are R 2,800 and R 4,000 lots in Lower Maywood that are the same scale as many older single-family lots but couldn't do more than a duplex due to the density limits. The changes below would exempt such lots from the density limits for middle housing types, in lieu of a previous proposal to allow rounding up for unit yield.

3. Multifamily Minimum and Maximum Density.

a. In the R 5,400a through R 2,800 zones, one multifamily dwelling unit shall be allowed for each whole number multiple of the stated minimum land area per multifamily dwelling unit. Only whole numbers may be credited toward unit count. Rounding up is not permitted. The following exceptions apply:

(1) Specialized senior housing subject to an approved conditional use permit in accordance with Chapter 12.10 BMC; or

(2) Duplexes authorized pursuant to BMC 12.06.140(B)(18) Middle housing projects created consistent with BMC 12.06.140 and BMC 12.14.134 on existing lots.

...
Should setback reductions be allowed as shown below?

Should reductions in setbacks on one side be accompanied by increases on the other side to maintain the building envelope in cases where such modifications would protect trees or provide space for other natural amenities?

Questions:

1. How far should setbacks be allowed to be reduced?
2. Should reductions be conditioned on preserving and/or creating natural amenities?
3. Is there support for the “natural amenity” description in iii below?

5. *Setbacks.*

- a. “Setback” shall mean the distance from the lot line to the point where a structure may be constructed, not including those structures permitted under BMC [12.14.090](#) to project into the setback. The area between a lot line and a setback is a yard. Setbacks shall be in accordance with BMC [12.14.050](#) through [12.14.100](#).
- b. Garages, carports, and other structures whose intent is to house or provide parking for vehicles shall be set back from streets and access tracts a minimum of 20 feet.
- c. Special setbacks apply to specific building types, uses and accessory structures. See BMC [12.14.070](#).

d. The following incentives apply when ~~a corner lot duplex~~ middle housing is created by retaining and renovating an existing dwelling unit:

- i. Legally established nonconforming building setbacks and height can be matched in any building addition or expansion necessary to convert the existing dwelling unit to a duplex; and
- ii. Maximum building coverage set forth in BMC 12.14.030(A) can be increased by 10 percent; and
- iii. Maximum hard surface coverage set forth in BMC 12.14.030(A) can be increased by 10 percent

e. For duplex, triplex and fourplex development, front and rear setbacks may be reduced by [5-10] feet in all zones.

- i. Such reduction is allowed with an equal increase in setback distance on the opposite side of the structure.
- ii. Such reduction is allowed when necessary to preserve significant trees or create other natural amenities on the lot.
- iii. Such reduction is allowed when the reduced and/or increased setback is planted with a [5-10] foot-wide Type V landscape strip. Low impact development-compliant features such as rain gardens designed to treat storm water runoff from the entire site are allowed in lieu of the required planting strip.

6. Specific building height, minimum residential densities, and minimum floor area ratios may apply to certain activity centers as follows:

...

- b. Within the R 40,000, R 9,600, R 8,400, R 7,200, R 5,400d, and R 5,400a zones, ~~single-family~~ residential structures which incorporate peaked roofs having a minimum roof pitch of four feet vertical for every 12 feet horizontal (4:12) may be up to 35 feet in height under any of the following conditions:

...

Should increases in coverage be limited to case where existing structures are preserved, as was done for corner lot duplexes?

7. Building and hard surface coverage shall be measured as set forth in BMC [12.14.140](#). For the purposes of this section, driveways within the front yard setback shall be no wider than necessary to accommodate three vehicles across, and walkways within the front yard setback shall not exceed five feet in width.

a. *Notes.* Hard surfaces legally established on a site prior to December 31, 2016, and which exceed the limits set forth in this section and BMC [12.14.040](#) shall be subject to nonconforming provisions of Chapter [12.26](#) BMC.

b. In determining the building and hard surface coverage for a panhandle lot, the handle or access portion of the lot shall not be used to determine hard surface coverage. Building and hard surface coverage shall be measured as though no handle was on the lot.

c. For duplex, triplex and fourplex development, maximum building coverage may be increased by 10 percent and maximum hard surface coverage may be increased by 10 percent, pursuant to the conditions in subsection 5 above.

...

Subsection immediately below would be moot with proposed changes.

~~11. Within specific subareas duplexes shall be allowed on individual lots to meet affordable housing requirements (see Chapter [12.07](#) BMC). Such duplexes do not need to meet the side yard setbacks for the common walls between dwelling units, but all duplex lots shall provide all setbacks from adjacent property lines pursuant to subsection [A](#) of this section.~~

Previous direction indicated that all new subdivision that have the opportunity for a density bonus using middle housing should provide affordable units whether they use the bonus or not. Short plats have not been directly addressed.

Questions:

1. Should the density bonus apply to both short plats and full subdivisions as shown int 12 below?

2. Should short plats that achieve 10 or more primary dwelling units through the density bonus be required to provide an affordable unit per 12.07 as shown in e below, or would that be a disincentive to creating middle housing in larger short plats?

12. Middle Housing Density Bonus. For new short plats and subdivisions that allow middle housing units increased density is allowed consistent with the following:

a. Middle housing units may exceed the maximum density permitted by the underlying zone by up to 40 percent if the units are located within one-half mile of a regional trail or transit stop that receives frequent transit service. Frequent transit service is service from at least one route that provides service at least two times per hour for 12 or more hours per day.

b. Middle housing units may exceed the maximum density of the underlying zone by up to 20 percent if the units are located further than one-half mile from a regional trail or transit stop that receives frequent transit service.

c. Maximum density is calculated by dividing the total area of the subdivision by the minimum lot size of the underlying zone. For example, the maximum density for a three-acre subdivision in the R7,200 zone is 18 units.

d. A percentage of the total units in new subdivisions created after the effective date of these amendments are subject to the affordable housing requirements of [12.07](#).

e. Short plats that create 10 or more primary dwelling units are subject to the affordable housing requirements of [12.07](#).

...

Should subsection A below be modified as shown or partly or fully eliminated? The first sentence provides a buffer for multifamily or middle housing in or adjacent to R 40,000 lots. The second sentence would exempt middle housing that contains affordable units.

12.14.070 Setbacks – Applying to specific building or use.

A. Any structures containing two or more attached primary dwelling units shall be set back a minimum of 25 feet from any property line in or abutting the R-40,000 zone through R-5,400d zones, unless the adjacent property already is occupied by structures containing two or more primary dwelling units. This special setback requirement shall not apply to duplex-middle housing structures within detached residential zones that provide affordable dwelling units consistent with the affordable housing provisions of Chapter 12.07 BMC.

...

This new section consolidates design and layout requirements for all middle housing types.

Questions:

1. *Should there be requirements for holding shared open space in an owners association?*
2. *Should there be requirements for CC&Rs governing maintenance?*
3. *Should all of the conditions be applied? For example, would B.2.b-d below limit options for long narrow lots that are quite common in Bothell?*
4. *Where a range of values are shown in brackets, what value should be used?*

12.14.134 Middle housing

A. Middle housing is allowed in residential zones pursuant to BMC 12.06.140. Middle housing projects shall comply with the design requirements in this section.

B. Cottage housing.

1. Cottage housing projects shall be allowed on larger existing lots and by combining two or more lots in a new subdivision and shall meet the following site layout requirements:

a. Cottages shall be separated by a minimum distance of [6-10] feet.

b. Cottages shall be oriented to a shared open space and must be connected to the shared open space by a pedestrian path. Cottages within 20 feet of a street property line may be oriented toward the street.

2. Shared open space shall be provided for cottage housing as follows:

a. A minimum of [150-400] square feet per cottage of shared open space is required. Parking areas, driveways, setback areas, and private open space do not qualify as shared open space. Storm water management facilities do not qualify as shared open space unless they are low impact development features that do not adversely impact access to or use of the shared open space for typical use by residents. The shared open space must be a minimum of [15-20] feet wide in any dimension.

b. Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.

c. At least [50-75] percent of the cottages shall abut the shared open space. All cottages shall be within 60 feet walking distance measured from the nearest entrance of the cottage along the shortest safe walking route to the nearest point of the shared open space.

d. Shared open space shall have cottages on at least two sides.

e. The shared open space shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious surfaces shall not exceed 75 percent of the total shared open space.

2. Private open space shall be provided for cottage housing as follows:

a. Each cottage shall be provided with a minimum of 200 square feet of usable private open space that is clearly separated from the shared open space.

b. No dimension of the private open space shall be less than [6-8] feet.

3. Parking shall be provided pursuant to BMC 12.16.030. Parking shall meet the following requirements:

a. Required parking shall be located on the same property as the cottage housing. Parking can be consolidated into one or more off-street parking areas. Off-street parking areas shall be located to the side or rear of the cottage housing development. Off-street parking areas shall not be located between the cottage housing development and the primary street frontage.

b. Where lots abut an alley, off-street parking must take access from the alley where feasible.

c. Off-street parking may be located in or under an accessory parking structure (such as a single or multi-auto carport or garage), but such structures shall not be attached to individual cottages. Uncovered parking is also permitted.

d. Off-street parking shall be screened from direct street view by garage doors, six-foot-high solid sight-obscuring fencing, and/or Type III landscaping that is at least 5 feet wide.

C. Courtyard housing.

1. Number of dwelling units. A single courtyard housing development shall include a minimum of four dwelling units, up to a maximum of 6-8 units.

2. Courtyard housing projects shall meet the following site layout requirements:

a. The main entry to each ground floor dwelling unit shall be directly off a common courtyard or directly from a street. Access to upper-level dwelling units may be through an open or roofed stair.

b. Clear and obvious pedestrian access and visual access between the sidewalk (or street if there is no sidewalk) shall be provided.

3. Courtyard housing may be on a single large lot or two lots combined, in a U- or L- shaped configuration where the ends facing the street have the dimensions no larger than a single-family detached structure on the combined lots or adjacent lots on the block-face.

4. Shared open space shall be provided for cottage housing as follows:

a. A minimum of 200 square feet per dwelling unit of shared open space is required. At least 800 square feet of shared open space shall be provided for each courtyard housing development. Parking areas, driveways, setback areas, and private open space do not qualify as shared open space. Storm water management facilities do not qualify as shared open space unless they are low impact development features that do not adversely impact access to or use of the shared open space for typical use by residents. The shared open space must be a minimum of [15-20] feet wide in any dimension.

b. Fences are not allowed in any shared open space areas.

c. The shared open space shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious surfaces shall not exceed 75 percent of the total shared open space.

5. Private open space shall be provided for courtyard housing as follows:

a. Each dwelling unit shall be provided with a minimum of [60-200] square feet of usable private open space in the form of a private yard, porch, patio, balcony, or similar configuration.

b. No dimension of the private open space shall be less than [6-8] feet.

6. Parking shall be provided pursuant to BMC 12.16.030. Parking shall meet the following requirements:

a. Required parking shall be located on the same property as the courtyard housing development. Parking can be consolidated into one or more off-street parking areas. Off-street parking areas shall be located to the side or rear of the courtyard housing development. Off-street parking areas shall not be located between the courtyard housing development and the primary street frontage.

b. Where lots abut an alley, off-street parking must take access from the alley where feasible.

c. Off-street parking may be located in or under an accessory parking structure (such as a single or multi-auto carport or garage), but such structures shall not be attached to individual units. Uncovered parking is also permitted.

d. Off-street parking shall be screened from direct street view by garage doors, solid sight-obscuring fencing, and/or Type XX landscaping that is XX feet wide.

While details of some of the changes shown below to ADU regulations have not been discussed much, they are consistent with changes that have been discussed in State legislation and are offered for Planning Commission consideration.

Design requirements in (B)(3) and (B)(11) have been deleted to improve consistency with other middle housing types allowed by these recommended amendments, to eliminate disincentives for ADU projects, and to streamline the review process.

Questions:

1. Should accessory dwelling units be allowed for multifamily units in downtown zones? They are currently allowed and prohibiting them would be a change.

12.14.135 Accessory dwelling units

A. Accessory dwelling units are defined in BMC 11.02.005.—are an accessory use to a primary dwelling unit and may be an additional room, set of rooms, or a separate structure all of which are a secondary use to the primary use of a property as a single-family dwelling.

B. Accessory dwelling units are permitted subject to the following requirements:

~~1. Either the primary dwelling unit or the accessory dwelling unit shall be occupied by an owner of the property or by an immediate family member of the property owner. The owner or immediate family member of the owner must occupy one of the dwelling units on the property for more than six months of each calendar year. One attached accessory dwelling unit and one detached accessory dwelling unit are allowed per single family detached dwelling unit. One accessory dwelling unit in any configuration is allowed for each single-family attached, townhouse or middle housing primary dwelling unit.~~

~~OPTION: Accessory dwelling units are not allowed for other multifamily dwelling units.~~

~~2. The total number of occupants in both the primary residence and accessory dwelling unit combined may not exceed the maximum number of occupants allowed in a household per BMC 12.06.140(B)(9).~~

~~3. Wherever practicable, a house shall have only one entrance on the front, with additional entrances permitted on the side and rear. On corner lots, it is permissible to locate the entry door to the accessory dwelling unit on a street side of the structure other than the street side with the entry door for the principal dwelling unit. The entrance to an attached accessory dwelling unit may be on the front of the house only if (a) it is located in such a manner as to be clearly secondary to the main entrance to the principal dwelling unit; (b) it is screened from the street; and (c) it shall not detract from or alter the single-family character of the principal dwelling unit.~~

4. At least one additional paved off-street parking stall shall be provided in addition to any parking required for the primary dwelling unit; such parking shall consist of a driveway, carport, garage, or a combination thereof, located on the lot they are intended to serve. The parking requirement for ADUs may be waived if one of the following circumstances is met:

~~a. The ADU is located within one-half mile walking distance of a transit stop that receives transit service at least two times per hour for 12 or more hours per day.~~

~~b. The ADU is located within one-half mile walking distance of pedestrian access to a regional trail that provides a continuous two-way paved connection to employment centers and/or similar activity centers and amenities.~~

5. The size of an accessory dwelling unit shall be limited as follows:

~~a. An accessory dwelling shall not exceed 1,000 square feet of floor area, or 80 percent of the primary dwelling's floor area, whichever is smaller, whether detached or attached. Accessory dwelling units that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling unit would be more than 1,000 square feet.~~

~~a. The floor area devoted to an accessory dwelling unit shall comprise no more than two-thirds of the primary dwelling unit, or 40 percent of the total floor area of the primary dwelling unit and the accessory dwelling unit combined, excluding any garage area; or 800 square feet, whichever is less. If the accessory unit is completely located on a single floor, the director may allow increased size in order to efficiently use all floor area.~~

b. Detached accessory dwelling units are exempt from the provisions of BMC 12.14.130 that limit the size of accessory buildings to five percent of the lot area.

6. Detached accessory dwelling units shall have a height no greater than 25 feet or no greater than 28 feet for units over an existing accessory structure.

~~7. A single-family lot shall contain no more than one accessory dwelling unit.~~

~~78.~~ The property owner shall apply for an accessory dwelling unit permit and pay any applicable application fee as set by the city. The application shall include an affidavit signed by the property owner agreeing to all the general requirements outlined in this section.

~~89.~~ Approval of the accessory dwelling unit shall be subject to the applicant recording a document, in a form approved by the City Attorney, with King County or Snohomish County, in the property records of the county in which the property is located, which document (a) runs with the land and identifies the address of the property, ~~(b) states that the owner(s) resides in either the principal dwelling unit or the accessory dwelling unit,~~ (c) includes a statement that the owner(s) will notify any prospective purchasers of the limitations of this section, and ~~(d)~~ provides for the removal of the accessory dwelling unit if any of the requirements of this chapter are violated.

~~910.~~ For existing accessory dwelling units that were created without an approved application, the property owner must still apply to the city for approval. If an accessory dwelling unit was created without a building permit that was finalized, the city shall require a building inspection to determine whether the structure is sound, will not pose a hazard to people or property, and meets the requirements of this section and BMC Title 20. The accessory dwelling unit application fee will cover the building inspection of the accessory dwelling unit.

~~11. Two-story, detached accessory dwelling units shall be designed to protect the privacy of adjacent residential uses by employing all of the following techniques, as applicable:~~

~~a. For any walls that are less than 10 feet from the property line, second-level openings facing adjacent residential uses where sill heights are less than six feet above the second-level floor must use nontransparent windows or glass block.~~

~~b. Second-level decks less than 10 feet from the property line must be oriented away from adjacent residential uses or provide a minimum six-foot-tall, sight-obscuring screen facing the adjacent residential use. Entry stoops and landings are exempt from this requirement.~~

~~c. Where any walls that are 10 feet or more from the property line have second-level openings or decks facing adjacent residential properties, vegetative screening that will be sight-obscuring at maturity must already exist or be planted to screen the opening or deck from the adjacent residential use. (Ord. 2277 § 1, 2019; Ord. 2258 § 5, 2018).~~

12.16 PARKING, LOADING, TRANSIT ACCESS AND PEDESTRIAN CIRCULATION

Updating parking standards to establish requirements for new middle housing types and allow reduction for middle housing near transit and regional trails, similar to what was done for corner-lot duplexes.

12.16.030 Computation of required off-street parking spaces.

A. Except as modified under this section or BMC [12.16.040](#), off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as number of spaces per square feet means the gross square footage. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down. The land uses below correspond to those listed in Chapter [12.06](#) BMC.

Land Use	Minimum Parking Spaces Required
Residential uses, including only the following:	
Dormitories, fraternities and sororities	1 per 2 bedrooms
Dwelling units, accessory driveway	1.0 per unit, unless waived 1 per accessory dwelling unit, located in a garage or on a driveway
Single-family dwelling unit-Dwelling units, primary, detached, one unit per structure	3 per dwelling unit, which spaces shall consist of garage floor and/or driveway area
Duplexes	3.0 total for the duplex
Triplexes	4.0 total for the triplex
Fourplexes	5.0 total for the fourplex
Cottage and courtyard housing	1 per unit
Multifamily and single-family attached dwellings-Dwelling units, primary, two or more units per structure	2 per dwelling unit, plus 1 guest parking stall for every 5 dwelling units

12.16.110 Transit, rideshare, and green building provisions.

...

F. For ~~corner-lot duplexes, triplexes, and fourplexes constructed pursuant to BMC 12.06.140(B)(18)~~, an applicant may apply for an exception allowing minimum parking requirements to be reduced to one parking space per unit when any of the following conditions apply:

1. The ~~corner-lot duplex development~~ is located within one-half mile of a transit stop that receives transit service at least two times per hour for 12 or more hours per day.
2. The ~~corner-lot duplex development~~ is located within one-half mile of pedestrian access to a regional trail that provides a continuous two-way paved connection to employment centers and/or similar activity centers and amenities.

12.64 Downtown Subarea Regulations

...

12.64.106 Sunrise/Valley View Neighborhood District Requirements.

Amendments to this section are intended to permit duplexes, triplexes and fourplexes in the Sunrise/Valley View neighborhood, which includes fully developed areas previously zone R 8,400 and R 9,600. Since the area is fully developed, cottage and courtyard housing is not permitted.

- Amended the use table to allow middle housing types, except cottage and courtyard housing, and add reference to new regulations in new Middle Housing section
- Question: should the special regulation regarding on-site parking design for single family homes be applied to middle housing?

1. ---: not permitted	2. n/a: not applicable as indicated	3. not required: these elements are not required as indicated
4. permitted: these elements are allowed by right unless otherwise specified in BMC 12.64.201 , Building Use		
5. required: these are required elements of all new development as indicated		
6. (S/VV): special regulations apply; see subsection (B)(3) of this section, Hard Surface Coverage, and subsection (B)(4) of this section, Corner Lot Duplexes, and subsection (B)(5) of this section, Middle Housing.		
7. (G): for detached single-family homes and allowed middle housing , only garages, carports, and driveways are permitted. For off-street parking location and design, see BMC 12.16.080 .		

A. District Charts

12.64.200 Site Development Regulations	District Requirements
12.64.201 Building Use	
A. Retail	
1. Pedestrian Oriented Retail	---
2. Neighborhood Center Retail	---
3. Business and Personal Services	---
4. Auto-Oriented Retail	---
5. Corner Store Retail	---
B. Civic and Cultural	---



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"The voice for real estate in Snohomish County"

Tuesday, February 15th, 2022

The City of Bothell Planning Commission
18415 101st Avenue NE
Bothell, WA 98011

RE: Wednesday, February 16th, 2022 Study Session on Middle Housing

Dear Bothell Planning Commissioners,

The Snohomish County-Camano Association of REALTORS® (SCCAR), an organization which represents nearly two thousand REALTORS® across Snohomish County, would like to offer our support of your pursuit of amending Bothell's city code to accommodate middle housing.

Firstly, we would like to thank the city of Bothell's Planning Commissioners and staff for bringing this topic to the table for consideration. As you know, these amendments reflect state House Bills 1782 and 1660. The REALTORS® are supportive of these two bills. Secondly, we would like to communicate our support specifically for the proposed code amendments which would allow duplexes, fourplexes, cottage housing, and other missing middle housing in single family areas and encourage ADUs by providing pre-approved ADU plans and eliminating impact and other fees for ADUs.

We believe these changes will work toward increasing a diverse housing inventory in Bothell, which is desperately needed. Bothell, and all of Snohomish County, is amid an affordable housing crisis where housing prices have increased exponentially due to a lack of housing supply. REALTORS® see firsthand how expensive housing has become to secure, and we believe these amendments are a step in the right direction to address the housing affordability crisis our county is experiencing.

Thank you for your time and consideration. Please do not hesitate to contact us if you need anything, as we would be happy to partner with the city of Bothell in any housing or real estate matters.

Sincerely,

A handwritten signature in blue ink that reads 'Cami Gray'.

Cami Gray
Director of Government & Public Affairs

C. Office	---
D. Lodging	---
E. Residential	
1. Multifamily w/Common Entry	---
2. Multifamily w/Individual Entry	---
3. Detached Single-Family Housing	permitted
4. Corner Lot Duplexes, <u>triplexes,</u> <u>and fourplexes</u>	(S/VV)
5. Manufactured Homes	permitted
6. Home Occupation	permitted

...

12.64.304 Provision of Outdoor Space		
12.64.201 Building Use	Public Space Requirements	Private Outdoor Space Requirements
A. Retail	N/A	N/A
B. Civic & Cultural	N/A	N/A
C. Office	N/A	N/A
D. Lodging	N/A	N/A
E. Residential:	N/A	N/A

12.64.400 Parking Regulations	
12.64.401 Parking Types	
A. Surface Parking Lot - Front	--- (G)
B. Surface Parking Lot - Side	--- (G)
C. Surface Parking Lot - Rear	--- (G)
D. Surface Parking Lot - Exposed	--- (G)
E. Parking Structure - Exposed	--- (G)
F. Parking Structure - Wrapped: Ground Level	--- (G)
G. Parking Structure - Wrapped: All Levels	--- (G)
H. Parking Structure - Partially Submerged Podium	--- (G)
I. Parking Structure - Underground	--- (G)

B. *Special Sunrise/Valley View Neighborhood Requirements.* All Special Requirements on this page apply to development in the Sunrise Valley View Neighborhood.

1. *Minimum Lot Circle.* Each lot must be of sufficient size to fully accommodate an 80 foot diameter circle for lots of 9,600 square feet or larger. The circle accommodated may decrease proportionally with smaller lot sizes to a minimum diameter of 70 feet for lots of 8,400 square feet.

2. *Minimum Lot Size.*

a. Minimum Lot size requirements for properties within the R9,600 Overlay (see Figure 12.64.106 Lot Size Overlays) shall be as follows:

i. The minimum lot size shall be 9,600 square feet on average.

ii. Subdivisions shall achieve an average of no less than 9,600 square feet per lot, except as may be otherwise permitted under an approved planned unit development, in accordance with Chapter [12.30](#) BMC. That is, the total area of all lots within a proposed subdivision divided by the number of lots shall amount to an average lot area of at least 9,600 square feet. Twenty percent of the lots in a subdivision may be smaller than 9,600 square feet, but no lot shall be smaller than 8,400 square feet, nor larger than 14,400 square feet. ~~No more than one primary dwelling unit shall be placed on a lot.~~

b. Minimum Lot size requirements for properties within the R8,400 Overlay (see Figure 12.64.106 Lot Size Overlays) shall be as follows:

i. The minimum lot size shall be 8,400 sq.ft.

ii. No lot shall be less than the minimum lot area per single-family dwelling unit, except as may otherwise be permitted under an approved planned unit development, in accordance with Chapter [12.30](#) BMC. ~~No more than one primary dwelling unit shall be placed on a lot.~~

c. In order to promote efficient use of land, no subdivision shall contain any lot having more than one and one-half times the minimum lot area, in the R 8,400 overlay or one and one-half times the average lot area, in the R 9,600 overlay (i.e., 14,400 square feet), except as follows:

i. Any subdivision of four lots or fewer may contain larger lots, but the property lines of such a subdivision shall be laid out so as to allow future subdivisions which comply with this subsection;

ii. A subdivision of five or more lots may contain larger lots to accommodate phasing of the subdivision; provided, that at completion of all phases, the subdivision complies with this subsection;

iii. A subdivision of five or more lots may contain a larger lot to permit the pre-existing house and any related outbuildings and grounds to be retained intact on one property;

iv. These maximum lot size regulations do not apply to any common tracts for critical area protection, open space retention, storm water retention/detention or other purposes as may be required by the city as a condition of subdivision approval.

d. Land area in roads and other rights-of-way, surface storm water retention/detention/water quality facilities, critical areas, critical area buffers, or land dedicated to the city, shall not be included in any

proposed single-family lot, unless so stated in the conditions of an approved planned unit development, in accordance with Chapter [12.30](#) BMC.

e. Land in an access easement, utility easement, or other form of easement which is not set aside as a separate tract shall be counted as part of the area of a parcel for the purpose of calculating minimum lot area.

3. *Hard Surface Coverage.* Front Yard Setback Areas shall not contain any hard surface except for driveways, walkways, and structures allowed to encroach or project into the setback area. Hard surface requirements do not apply to the remainder of the parcel.

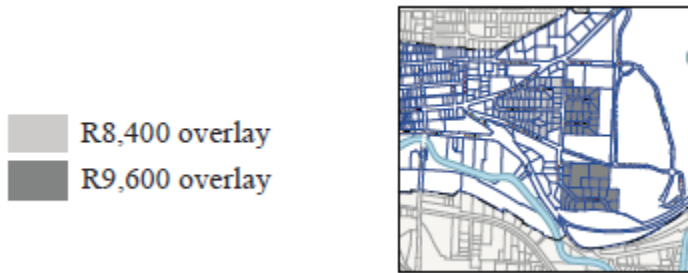


Fig. 12.64.106. Lot Size Overlays

4. ~~*Duplexes, triplexes and fourplexes are allowed on all lots in the Sunrise/Valley View neighborhood, subject provisions found in BMC section 12.14.134. Duplexes are allowed in the Sunrise/Valley View neighborhood, provided:*~~

- ~~a. Such duplexes are located on corner lots meeting the minimum lot area for a single-family residence; and~~
- ~~b. Duplexes are subject to the underlying zoning and dimensional standards.~~
- ~~c. The following incentives apply when a corner lot duplex is created by retaining and renovating an existing dwelling unit:~~

Legally established nonconforming building setbacks and height can be matched in any building addition or expansion necessary to convert the existing dwelling unit to a ~~corner lot~~ duplex, ~~triplex or fourplex~~.

...

Title 15 Subdivisions

BMC 15.16.010 Final Plats.

...

~~I. *No Limitations on Middle Housing. CC&Rs recorded after the effective date of this subsection shall not include any provision that is, or would be, void under BMC 12.06.140.*~~



SNOHOMISH COUNTY-CAMANO ASSOCIATION OF REALTORS®

3201 Broadway, Suite E, Everett, WA 98201 • (425) 339-1388 • FAX (425) 339-2454

www.sccar.org

“The voice for real estate in Snohomish County”

Tuesday, February 15th, 2022

The City of Bothell Planning Commission
18415 101st Avenue NE
Bothell, WA 98011

RE: Wednesday, February 16th, 2022 Study Session on Middle Housing

Dear Bothell Planning Commissioners,

The Snohomish County-Camano Association of REALTORS® (SCCAR), an organization which represents nearly two thousand REALTORS® across Snohomish County, would like to offer our support of your pursuit of amending Bothell’s city code to accommodate middle housing.

Firstly, we would like to thank the city of Bothell’s Planning Commissioners and staff for bringing this topic to the table for consideration. As you know, these amendments reflect state House Bills 1782 and 1660. The REALTORS® are supportive of these two bills. Secondly, we would like to communicate our support specifically for the proposed code amendments which would allow duplexes, fourplexes, cottage housing, and other missing middle housing in single family areas and encourage ADUs by providing pre-approved ADU plans and eliminating impact and other fees for ADUs.

We believe these changes will work toward increasing a diverse housing inventory in Bothell, which is desperately needed. Bothell, and all of Snohomish County, is amid an affordable housing crisis where housing prices have increased exponentially due to a lack of housing supply. REALTORS® see firsthand how expensive housing has become to secure, and we believe these amendments are a step in the right direction to address the housing affordability crisis our county is experiencing.

Thank you for your time and consideration. Please do not hesitate to contact us if you need anything, as we would be happy to partner with the city of Bothell in any housing or real estate matters.

Sincerely,

A handwritten signature in blue ink that reads 'Cami Gray'. The signature is fluid and cursive, with the first name 'Cami' and last name 'Gray' clearly distinguishable.

Cami Gray
Director of Government & Public Affairs

From: W.Moritz <moritz.web@frontier.com>
Sent: Monday, May 30, 2022 6:13 PM
To: City Council Distribution List <CityCouncil@bothellwa.gov>; City Clerk <CityClerk@bothellwa.gov>
Subject: [EXTERNAL] Middle housing proposal - some problems

Dear Council members,

Unfortunately I will be out of town when the 'middle housing' Forum takes place on the 31st but want to pass along two concerns that I have.

1. Apparently someone has decided that 'middle housing' would be appropriate to consider for any property within 1/2 mile of any transit stop. I guess on the supposition that 'middle housing' occupants would thus be able to, possibly, not need to have personal motor vehicles to meet their transportation needs. I see a small map on the web with circles that has apparently been produced illustrating the area within the city. But looking at that map reveals a very serious flaw in that thinking.

Those circles obviously do NOT account for terrain nor the practicality of folks within many of those 1/2 mile circles actually being able to get to that stop safely and efficiently. Two examples should suffice to get the point across.

A. There are transit stops (E and W bound) on SR 522 at 96th NE (Wayne curve). The associated 1/2 mile circle would of course include Talon Ridge (as well as a lot of other housing in that area) atop the modestly high hill around which 522 curves. Just how would those folks get to that transit stop with less than a 1/2 mile hike?

B. There is a transit stop located on E. Riverside Dr adjacent to the Senior Center (elevation about 50 ft). That 1/2 mile circle includes virtually all of the Promontory West development on Norway Hill to the south. While there is a gravel utility access (102nd Ave extended) that climbs that hill to the south reaching nearly 400 feet in elevation within that 1/2 mile and is a somewhat stiff hike. I can't imagine lugging a couple bags of groceries up that hill - in the rain say. The surface is not maintained for pedestrian use.

Drawing circles on a flat map is pretty easy but very sloppy. Those 'circles' should reflect the reality on the ground regarding the real feasibility of getting to those transit stops.

2. I have read some of the material the staff has prepared on the various type of 'middle' housing and one thing stands out: most do not require off-street parking for the vehicles that would likely be part of such projects. I would love to live in a place where one did not need a private car to accomplish most or all of my daily transportation needs.

But a pretty fully suburban city like Bothell with really few transit options does measure up. So where will all those motor vehicles the 'middle' housers park? On the public street of course.

We already see what happens when several apartment buildings downtown were only required to have 0.75 parking spaces per unit. Our public streets are where those folks park. Our tax dollars should NOT be used to provide parking for local residents.

If there are any sites within Bothell that can accommodate additional housing units along with off street parking, go for it.

I would also add that the city is considering a Bicycle Plan which has the worthwhile goal of getting more people to bike. But there must be space on our streets for residents to ride their bikes. Parked cars make such biking more difficult especially on our narrow streets built decades ago.

Thanks for taking the time to listen to my concerns,

Sincerely

Bill Moritz
16901 - 105h NE

Response from Senior Planner Dave Boyd, May 31, 2022

Bill,

Thank you for your comments, which got forwarded to me for a response. I will add your comments to the public record and include you in the list of interested parties.

I wanted to clarify that the current proposal is to use a ½ mile walking distance to transit and regional trails to qualify for parking reductions. The radii on the map are, as you say, an easy way of showing where such reductions could extend if there are actual pedestrian connections. The code will specify that the reductions are available only to projects that demonstrate that they are within walking distance of qualified transit and trails, and it will be up to the applicant to make that case (and plans reviewers to verify it). The map included in the survey is just to illustrate where these reductions could apply. Actually mapping the walksheds for bus stops and regional trail connections is problematic since they change as transit routes and service change and as connections are built.

Also, consideration is being given to reducing the parking within those areas, not eliminating it. The proposed code provisions would mirror those already adopted for corner-lot duplexes, requiring 1 space per unit.

This item is still going through the Planning Commission process, with an initial public hearing on 6/15, which is anticipated to be continued to 7/20. Please feel free to send any further comments to me, and I will forward them to Commission and enter them into the public record, which will go to Council with the Commission's recommendation.

Best regards,
Dave

Dave Boyd AIA, Senior Strategic Planner
City of Bothell Community Development Department
425-471-4705

From: Sandy Alto <BothellNS@hotmail.com>
Sent: Friday, June 3, 2022 10:14 PM
To: Erin Leonhart <Erin.Leonhart@bothellwa.gov>; Imagine Bothell <ImagineBothell@bothellwa.gov>; Mason Thompson <mason.thompson@bothellwa.gov>
Subject: [EXTERNAL] The Missing Middle Plan is unclear in keypoints.

Hi Erin, Imagine Bothell, and Mayor Mason,

I have been reviewing the Missing Middle Housing Plan and the objectives are a bit unclear to me. How is

1. Allow duplexes, triplexes, and fourplexes in new subdivisions, with density bonuses and affordability requirements.
2. **Allow duplexes, triplexes, and fourplexes in all single family zones.**
3. **Allow cottage housing and courtyard housing in all single family zones.**
4. **Require affordable housing units in a portion of all subdivisions.**
5. Create flexibility in development standards to facilitate middle housing
6. Reduce barriers to ADU (accessory dwelling unit) development.
7. Reduce parking requirements for middle housing near transit or regional trails.

Regarding item 4. **Require affordable housing units in a portion of all subdivisions.**

Can you provide an example that explains this more fully?.

We have already permitted duplexes on corner lots. But I am confused as to what other types of affordable housing units are meant that aren't already identified in items 2 & 3.

I am also confused by the use of the stronger word "require" here. How is that expected to be "enforced"? Was this a typo that was supposed to indicate "new" subdivisions.

FYI there seven typos in the document and a few sentences lacking commas. Not sure if anyone notices those types of errors in official communications so please take no offense. Personally, I am incapable of texting anything coherent using my phone.

Thank you,
Sandy Alto
BothellNS@hotmail.com
206 920 4557

Please note: Email exchanges may be public records and subject to disclosure.

Response from Senior Planner Dave Boyd, June 6, 2022

Good morning, Sandy.

Thank you for your comments, which were forwarded to me for response. City Manager Leonhart is copied here and will forward to Council.

It appears you are referring to the [Middle Housing online survey](#), and that the sentence/question just before the bullet points in your email was truncated, so we may not have received your full intended comments and questions.

You are correct, your bullet 4 should have referred to all new subdivisions, as noted in the first bullet. The first section of the online survey provides one example of how this could be applied to a sample subdivision, where a unit bonus would be applied, and the additional units could be provided as a mix of duplexes, triplexes and/or fourplexes. There are additional examples in the presentation to Planning Commission on April 6 – links to the packets and videos for the Planning Commission can be found on the [Planning Commission webpage](#).

Planning Commission is considering all of the middle housing types in your bullets 2 and 3, along with potential amendments to accessory dwelling unit regulations. They have not made a recommendation yet, so other types could be considered, or some types could be deferred for further study.

If affordable housing requirements are instituted for new subdivisions where middle housing is allowed, those units would have enforceable agreements in place and recorded with the county. The City works with ARCH to develop these regulations, and ARCH would work with us to put those agreements in place, then monitor and enforce them. It should be noted that the middle housing units that aren't contractually required to maintain certain levels of affordability are still expected to be relatively affordable and provide a wider range of housing options for both ownership and rental.

Thank you for your careful reading of the survey document, and please feel free to let me know of specific typos and further questions and comments. I will enter your comments into the public record and add you to the list of contacts.

Best regards,

Dave Boyd AIA, Senior Strategic Planner
City of Bothell Community Development Department
425-471-4705

I am working primarily from home and can best be reached at this [email](#) address or by the cell number above.



NE

PORTLAND MIDDLE HOUSING

Examples from the Field

CULLY NEIGHBORHOOD

- Former Chinook village
- Annexed in 1985 with few sidewalks or paved roads
- Rural elements: large lots, low density, Single-Family
- Least per-capita parkland
- Scant Transit
- Abundant brownfield lands
- Majority low-income residents
- ***Most ethnically and racially-diverse in Portland***



RESIDENTIAL INFILL PROJECT (RIP)

Part 1: August 1, 2021

- **DEREGULATES SINGLE-FAMILY RESTRICTIONS** in R2.5 to R7 zones, up to fourplexes
- Increases **ACCESSIBLE** housing
- Intended to create **LESS EXPENSIVE** housing

Part 2: June 30, 2022 (*in progress*)

- **EXPANDS HOUSING OPPORTUNITIES** to very low density R10 and R20 zones
- **COTTAGE CLUSTERS** in all neighborhoods
- Revises **ENVIRONMENTAL RESTRICTIONS**
- Allows for **CONDOMINIUMIZATION** of middle housing and allows more options for homeownership



COTTAGE CLUSTER

“Groupings of no fewer than

- *FOUR detached housing units per acre*
- *with a footprint of less than 900 square feet each*
- *and that include a common courtyard”*

(ORHB 2001)

CULLY GROVE

16-home, Intergenerational Cohousing Community by Orange Splot, LLC

- Zoned R5 (1 dwelling/5,000 sf)
- 1.85 acre site
- 22 off-street parking spaces
- 38 bike parking spaces
- Solar on each unit
- HOA regulates common spaces, including guest house
- Prior development (2 homes) was saved/demolished
- Preserved trees and open space





4745-
4805

FIRE LANE

BLACK
LIVES
MATTER





4773

Ridwell



PEAS

COMMON
① Sweet
Peas
② Snap
Peas

COMMON
① Summer
Squash
② Zucchini
Cucurbit

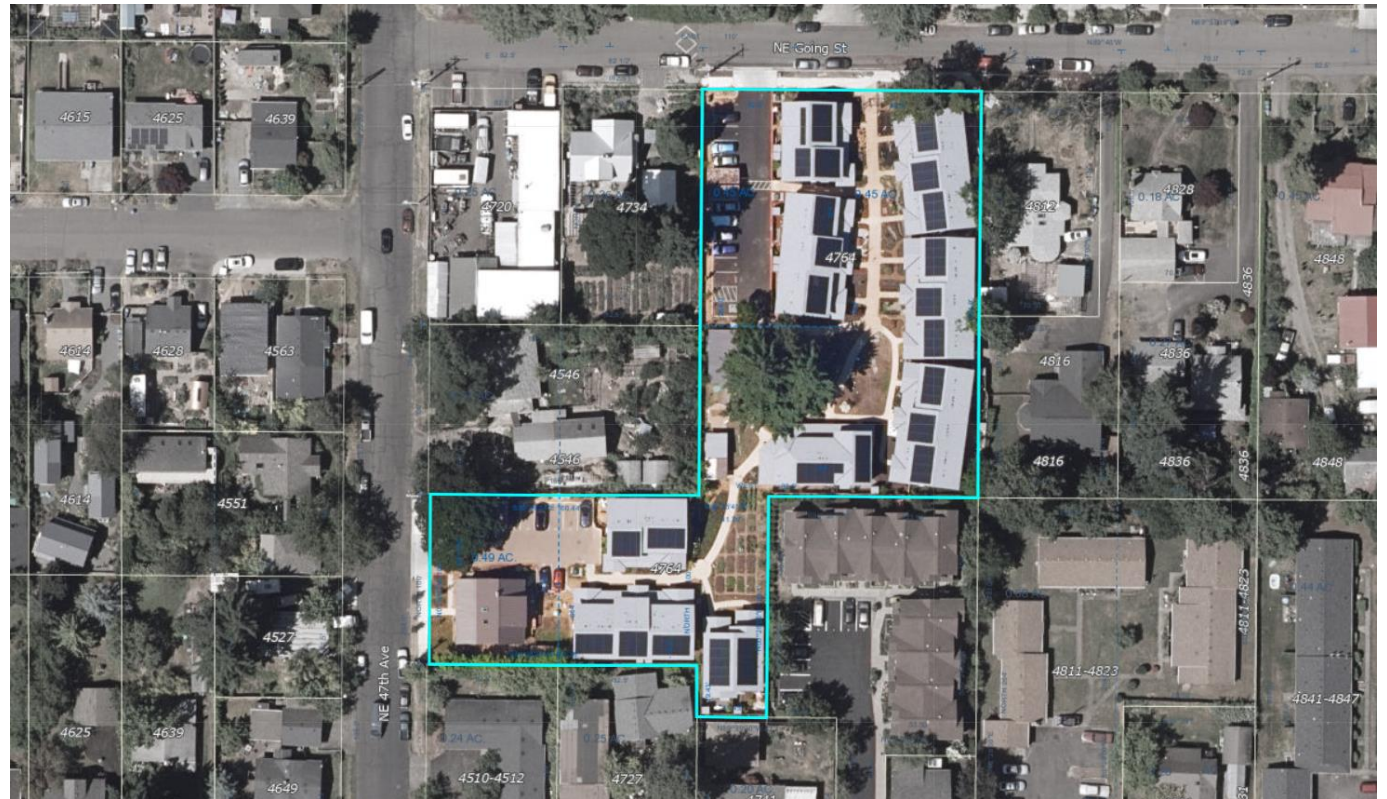
COMMON
② Shred-
ded
Summer
Squash



CULLY GREEN

23-home, Intergenerational Cohousing Community by Orange Splot, LLC

- Zoned R5 (1 dwelling/5,000 sf)
- 1.5 acre site
- 22 off-street auto parking spaces
- 52 bike secure shed with charging
- Solar on each unit
- Small private yards
- HOA regulates common spaces, including guest house, sauna, community kitchen, and bike shed
- Electric Vehicle Charging
- Preserved prior home and fir tree grove
- 3 permanently affordable units (80% AMI)





4784







How can I find out what outcomes came out of the middle housing forum? I was unable to attend but have serious concerns with what is proposed. As someone who bought a house in Bothell prior to the excessive development with a lack of infrastructure planning, I can only see this issue worsening. Existing streets aren't even being cared for, and are too narrow for what is proposed. The half mile buffer on parking limitations would allow street parking where the roads are too narrow for two way traffic if people are parked on even one side of it. 190th street to the west of 104th is a prime example where there is a lot more traffic now, and a recent high density rental is causing all sorts of traffic issues. (The rental is a "single family" home that is rented to 6 single individuals, who all have significant others staying over...so while it doesn't violate the code, it sure violates the neighborhood!)

If we want to make Bothell more affordable, we need to do something about all the non-owner occupied housing in the city. Housing should be for shelter, not for greedy investors. None of the option proposals are about helping folks to own a home, just how investors can make more off their rentals by making a duplex/triplex/quadplex now, in a single family zone. It would be far better for the city to focus on increasing ownership, as that is what drives people to personally invest in the community.

The city also needs to focus less on growth, and more on taking care of what is already here. We've already cheaped out on the streets by using the "slurry seal" in lieu of street replacement. Our street looks worse now than before the slurry seal, not to mention that the side of the road cannot be walked on anymore with how uneven it is.

Thank you,
Megan Mahre



June 14, 2022

The City of Bothell Planning Commission
18415 101ST Ave NE
Bothell, WA 98011

RE: June 15, 2022, Public Hearing on Middle Housing Code Amendments

Dear members of the Commission:

With nearly 2,600 members, the Master Builders Association of King and Snohomish Counties (MBAKS) is the largest local homebuilders' association in the United States, helping members provide communities with a range of housing choice and affordability. Our members are homebuilders, architects, tradespeople and other professionals involved in the construction of homes. We know that there is a critical need build more housing in the rapidly growing Puget Sound region, including in Bothell.

Allowing middle housing is a vital piece of the housing puzzle, as it expands the housing choices for families in neighborhoods close to jobs, transit, schools, and parks. Middle housing is a more affordable homeownership and rental option for families and individuals.

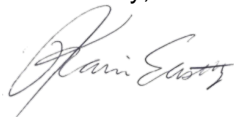
MBAKS would like to offer our continued support for the Bothell Planning Commission's proposed city code amendments allowing for a range of middle housing types, including duplexes, triplexes, fourplexes, cottage housing, and courtyard housing. We also support the inclusion of incentives in the code that will make building a variety of housing types more attractive. We note that requiring a contractually obligated affordable unit for every five may dissuade middle housing construction, even with incentives, and make the market rate units more expensive. We encourage you to revisit this proposed requirement and consider moving to the higher threshold of 10 units if you choose to retain it.

MBAKS appreciates the time and effort that have gone into preparing these amendments. We especially appreciate the time that City staff have taken to engage with MBAKS about the proposed changes.

Thank you for your consideration of these important changes.

Please reach out with any questions and consider us a resource in undertaking this important work. Attached you will find MBAKS' Missing Middle Housing [Issue Brief](#) with more data and resources.

Sincerely,



Karin Eastby
GA and Outreach Specialist
Keastby@mbaks.com

Enc. Missing Middle Housing Issue Brief



MISSING MIDDLE HOUSING

CONTENTS

Background	1	Model Code Suggestions	3
History	1	More Tools & Resources	4
Benefits	2		

BACKGROUND

Many people who want to live in our cities are finding it harder and harder to find a home that fits their lives and budget. Allowing more “middle” home choices, such as duplexes and triplexes, in addition to single-family detached homes, would create more housing choices for Washington families in neighborhoods close to jobs, transit, schools, parks, and other amenities. Allowing middle housing types is not a new idea—it simply re-legalizes housing types that used to be allowed without question.



HISTORY

WHY IS MIDDLE HOUSING “MISSING?”

“Missing middle housing” is a term coined by Opticos Design founder Daniel Parolek. These middle housing types are “missing” due to regulations and zoning that often forbid them from being built in our cities and towns. More than half of a typical Washington city’s residential areas—and those in large cities nationwide—allow only single-dwelling houses.

Since the 1940s, many municipal zoning codes, ordinances, and regulations across the United States have prioritized detached single-family homes and mid- to high-rise apartment buildings. Excluding certain housing types was often done for a specific purpose: prioritizing single-family neighborhoods was a way for cities and towns to legally segregate communities. Because of this zoning, there was simply not enough housing to meet demand as cities grew, so prices rose. This resulted in those who were less affluent, often people of color, being excluded or pushed farther away from high-opportunity neighborhoods.



BENEFITS

- Duplexes, triplexes, fourplexes, sixplexes, stacked flats, townhomes, and courtyard apartments are more affordable than detached, single-dwelling houses because land costs, which account for a significant portion of a home's value, can be shared across several households.
- Construction costs for “plexes,” stacked flats, townhomes and courtyard apartments are lower per square foot than taller apartment buildings.
- Because middle housing helps preserve wilderness areas and reduce vehicle miles traveled, it's an important strategy for carbon capture and for reducing carbon emissions, respectively.



AFFORDABILITY

Over 1.5 million more people are forecasted to live in our region by 2050 according to the Puget Sound Regional Council (PSRC). We need to build more affordable homes close to job centers and transit; the status quo is not sustainable when we consider both our region's climate change mitigation objectives and housing affordability goals. Middle housing is a more affordable homeownership and rental option for families and individuals looking to live in our urban areas.

And we know that every dollar counts. According to the National Association of Home Builders' priced out data for 2021,¹ for every \$1,000 increase in the price of a home in the Seattle/Bellevue/Tacoma market, 1,557 people are priced out.

Middle housing allows land costs to be shared, which is vital as land is extremely expensive in the Puget Sound region.

URBAN ZONING DENSITIES

MBAKS commissioned a study in 2019 to review residential zoning regulations in King, Snohomish, and Pierce counties. We wanted to know which jurisdictions have minimum residential densities that fall below four dwelling units per acre; four dwelling units per acre is the planning standard for being considered “urban.” This study looked only at designated urban growth areas (UGAs). The results were staggering:

- 58% of jurisdictions in the three-county region limit density to fewer than four dwelling units per acre.
- In King County alone, 74% of jurisdictions allow fewer than four units per acre.

Using our urban land efficiently is important for regional stewardship. Allowing and building middle housing will help our communities avoid environmental damage and costly sprawl.

¹ [nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics-plus/special-studies/2021/special-study-nahb-priced-out-estimates-for-2021-february-2021.pdf](https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics-plus/special-studies/2021/special-study-nahb-priced-out-estimates-for-2021-february-2021.pdf)



MODEL CODE SUGGESTIONS

MBAKS RECOMMENDS IMPLEMENTING CODE WITH THE FOLLOWING FEATURES:

- Rename single-family zoning to neighborhood residential zoning or more encompassing name
- Allow the following housing types in previously single-family zones:
 - Duplexes, triplexes, and quadplexes
 - Townhomes and rowhouses
 - Stacked flats
 - Cottage clusters
 - Courtyard apartments
- Allow accessory dwelling units (ADUs) in duplexes, triplexes, quadplexes, townhomes, and cottages
- Consider cluster development that can help maximize land, infrastructure, utilities, common areas, and open space
- No parking minimums or significantly reduced parking requirements, especially if near transit or available street parking
- No owner-occupancy requirement
- No limits on unrelated people living together
- No location requirements (i.e., restrictions on proximity to similar housing types)
- Prioritize missing middle housing by expedited permitting process
- Waived or greatly reduced permit and impact fees, utility connection fees, and street improvement requirements
- Simplify design standards and architectural treatment requirements
 - Avoid requiring variety in design elements, façade modulation, or articulated walls and roofs
- Flexible setback requirements including floor area ratio (FAR) and lot coverage
- Increase height limits by at least one full floor
- Flexible tree retention and replacement standards to allow variable tree species/size consideration, planting in groves, or a fee in-lieu that funds offsite planting
- Allow the ability to create independently metered utilities and the flexibility to access different utility hook-up points on the property
- Allow the housing product to be a subdivision, condo, rental, or individually owned to provide homeownership opportunities, affordability, and choice
- Offer the same design flexibility, lowered fees, and streamlined permitting process to renovations to convert single-family homes into middle housing
- Offer grants or forgivable loans for property owners adding additional units to a single-family home
- Provide publicly accessible permitting data including timelines and homes built





MORE TOOLS & RESOURCES

PLANNING & CODE RESOURCES—SEE WHAT OTHER CITIES HAVE DONE!

- MBAKS: Housing Toolkit
 - mbaks.com/docs/default-source/documents/advocacy/issue-briefs/mbaks-housing-toolkit.pdf
- PSRC: Housing Innovation Program
 - psrc.org/hip
- Kirkland, WA: Cottage, Carriage, and Two/Three-Unit Homes Code
 - codepublishing.com/WA/Kirkland/html/KirklandZ113/KirklandZ113.html
- Olympia, WA: code and Missing Middle Project
 - ezview.wa.gov/Portals/_1976/Documents/Apartment-Adopted/Olympia%20Missing%20Middle%20Housing_Ordinance%207267.pdf
 - olympiawa.gov/city-government/codes-plans-and-standards/missing-middle.aspx
- Minneapolis, MN: code and 2040 comprehensive plan
 - www2.minneapolismn.gov/government/departments/cped/housing-policy-development/unified-housing-policy
 - minneapolis2040.com
- Portland, OR: Residential Infill Project and explanation
 - portland.gov/bps/rip
 - sightline.org/2020/08/11/on-wednesday-portland-will-pass-the-best-low-density-zoning-reform-in-us-history



ADU-SPECIFIC PLANNING & CODE RESOURCES

- MBAKS: ADU Ordinances by Jurisdiction
 - mbaks.com/docs/default-source/documents/advocacy/issue-briefs/adu-ordinances.pdf
- AARP: ABCs of ADUs
 - aarp.org/content/dam/aarp/livable-communities/livable-documents/documents-2019/ADU-guide-web-singles-071619.pdf

EDUCATIONAL RESOURCES

- Master Builder Magazine: Codifying Prejudice: A Local History of Racist Housing Policy
 - digital.nexsitepublishing.com/i/1289303-fall-2020/28
- KUOW: Why Is Seattle so Racially Segregated?
 - kuow.org/stories/why-seattle-so-racially-segregated



EDUCATIONAL RESOURCES, CONTINUED

- Seattle Magazine: Seattle's Ugly Past: Segregation in Our Neighborhoods
 - seattlemag.com/article/seattles-ugly-past-segregation-our-neighborhoods
- The Urbanist: How Seattle Designed Neighborhood Plans to Inhibit Inclusivity
 - theurbanist.org/2019/10/17/how-seattle-designed-neighborhood-plans-to-inhibit-inclusivity-part-2
- Sightline Institute: This Is How You Slow-Walk Into a Housing Shortage
 - sightline.org/2018/05/23/this-is-how-you-slow-walk-into-a-housing-shortage
- Richard Rothstein: The Color of Law
 - www.norton.com/books/The-Color-of-Law
- Economic Policy Institute: The Making of Ferguson: Public Policies at the Root of Its Troubles
 - epi.org/publication/making-ferguson
- New York Times: A Push for Zoning Reform in Connecticut
 - nytimes.com/2021/02/26/realestate/connecticut-zoning-reform.html

DISPLACEMENT PREVENTION RESOURCES

Displacement can be physical or economic. Communities around our region are addressing both types of displacement in a variety of ways. There are tools available to help preserve existing affordable housing and to help prevent or curb displacement:

- Karen Chapple, UC Berkeley, and Anastasia Loukaitou-Sideris, UCLA: Anti-Displacement Strategy Effectiveness
 - mbaks.app.box.com/s/jwbwsx2zqntw8ywdn1nrki757w1f33i7
- PSRC: Increase Neighborhood Stability by Mitigating Residential Displacement
 - psrc.org/sites/default/files/hip-displacement.pdf

HOUSING SHORTAGE RESOURCES

- PSRC: Region Two Years Behind in Housing Production
 - psrc.org/whats-happening/blog/region-two-years-behind-housing-production
- Up for Growth: Housing Underproduction in Washington State
 - upforgrowth.org/sites/default/files/2020-01/Housing_UnderproductionInWashington_State2020-01-10.pdf





COMMUNITY ENGAGEMENT TOOLS

Get community buy-in for a range of housing types, affordability, and diverse neighbors.

- PSRC: Build Community Support for Affordable Housing
 - psrc.org/sites/default/files/hip-community-support.pdf
- Sightline Messaging Memos: how to talk about housing in your community
 - sightline.org/series/flashcards
- City of SeaTac Housing Action Plan: see how SeaTac does outreach
 - seatacwa.gov/government/city-departments/community-and-economic-development/planning-division/planning-projects-underway/housing-action-plan

MISSING MIDDLE HOUSING IN THE MEDIA

- Turner Center at UC Berkeley: Jumpstarting the Market for Accessory Dwelling Units: Lessons Learned From Portland, Seattle, and Vancouver
 - turnercenter.berkeley.edu/research-and-policy/more-adus
- KUOW: Townhomes Are Making Seattle More Affordable, New Study Finds
 - kuow.org/stories/redfin-study-shows-townhomes-are-making-seattle-more-affordable
- Sightline Institute: When Is Seattle Going to Fix Microhousing?
 - sightline.org/2021/02/04/when-is-seattle-going-to-fix-microhousing
- The Olympian: Olympia City Council Passes Comprehensive Zoning Reform Ordinance
 - theolympian.com/news/local/article/247700135.html
- New York Times: Cities Start to Question an American Ideal: A House With a Yard on Every Lot
 - nytimes.com/interactive/2019/06/18/upshot/cities-across-america-question-single-family-zoning.html
- Strong Towns: 5 Ways to Make the Missing Middle Less Missing
 - strongtowns.org/journal/2019/7/19/5-ways-to-make-the-missing-middle-less-missing



- Sightline Institute: Who Would Live in “Missing Middle” Housing? The Middle Class
 - sightline.org/2019/02/13/who-would-live-in-missing-middle-housing-the-middle-class
- New York Times: Why Housing Policy Is Climate Policy
 - nytimes.com/2019/03/25/opinion/california-home-prices-climate.html
- Los Angeles Times: California Won’t Meet Its Climate Change Goals Without a Lot More Housing Density in Its Cities
 - latimes.com/politics/la-pol-ca-housing-climate-change-goals-20170306-story.html



MISSING MIDDLE HOUSING IN THE MEDIA, CONTINUED

- NPR: Facing Housing Crunch, California Cities Rethink Single-Family Neighborhoods
 - [npr.org/2021/03/13/973770308/facing-housing-crunch-california-cities-rethink-single-family-neighborhoods](https://www.npr.org/2021/03/13/973770308/facing-housing-crunch-california-cities-rethink-single-family-neighborhoods)
- CAL Matters: What Could the End of Single-Family Zoning Mean for California's Affordable Housing Crisis?
 - calmatters.org/housing/2021/08/california-housing-podcast-zoning-bill
- Mercury News: Berkeley to End Single-Family Residential Zoning, Citing Racist Ties
 - [mercurynews.com/2021/02/24/berkeley-to-end-single-family-residential-zoning-citing-racist-ties](https://www.mercurynews.com/2021/02/24/berkeley-to-end-single-family-residential-zoning-citing-racist-ties)
- Livabl_: LA Tackles Housing Crisis With Streamlined ADU Design and Permitting Process
 - livabl.com/2021/03/la-streamlined-adu-process.html

HOUSING CHOICES FOR EVERYONE VIDEO SERIES

- Full video series
 - [youtube.com/playlist?list=PL9FDzjJcR6pWl1PacvKGBLMJFS7b28fLO](https://www.youtube.com/playlist?list=PL9FDzjJcR6pWl1PacvKGBLMJFS7b28fLO)
- Backyard Cottages video
 - youtu.be/k2eoCtfGFmM
- Microhousing video
 - youtu.be/n6fWvtvz5NE
- Mixed-Use Apartments video
 - youtu.be/NyjzgOPQzoE
- Modest Condos video
 - youtu.be/pUY515N3oYw



LOOK BOOK: MISSING MIDDLE HOUSING IMAGES

- Sightline Institute: Missing Middle Homes Photo Library
 - [flickr.com/photos/sightline_middle_housing](https://www.flickr.com/photos/sightline_middle_housing)
- Missing Middle Housing: The Types Gallery
 - missingmiddlehousing.com/types
- AARP Missing Middle Housing Types Photo Gallery
 - aarp.org/livable-communities/housing/info-2020/slideshow-missing-middle-housing.html

To the Bothell Planning Committee:

In regards to the Middle Housing Code Amendments to be discussed during the July 20th meeting, prior meeting minutes show that due diligence studies have been done by city staff on the subject. This letter is sent to support the recommendations and summary made by Chairperson Kevin Kiernan.

I am old enough (65) to remember the old Bothell. Many great memories. I am young enough to appreciate the new Bothell, although growing pains can create short term hassles like construction projects do. (I can hear my Dad on the old Wayne Golf Course teaching me the valuable lesson of "patience".....).

When the new Bothell Middle Housing Code Amendments are passed I will be involved in bringing many affordable homes to the market. We are ready to get started ASAP, awaiting only on the passage of these amendments.

Sincerely,

Robert B Farra

I am not able to attend the virtual public hearing on Wednesday, June 15th, 2022, at 6pm regarding the Planning Commission considering a recommendation to City Counsel regarding proposed code amendments to allow middle housing, including duplexes, triplexes, fourplexes, courtyard apartments and cottage housing in single-family neighborhoods, as well as amendments to encourage more accessory dwelling units. Since I am not able to attend, here are my comments regarding the proposed "Bothell Middle Housing Code Amendments":

1. First of all, I am very disappointed that the Planning Commission did not inform all residents that will be impacted by these recommended changes. I believe that a mailing to every address that will be impacted by these changes should have been done at the start of the planning and during the planning process. Putting information on the website is not an adequate way to inform your city residents that will be impacted immensely by these changes. Please let me know how I was informed about these changes.
2. Once again, in reading through the proposed code amendments, I do not see that infrastructure changes have been taken into account prior to allowing building code changes. If infrastructure changes are not considered up front, then only the new housing structures should be burdened with the additional costs when new sewer lines and water lines need to be put in when the existing lines cannot accommodate the additional burden with the new, denser housing.
3. With more and more ground being allowed to be built on, Bothell continues to take away the natural drainage that our property allows, forcing more and more run off to go into the sewer lines.
4. When all the existing old growth trees and shrubs continue to be taken down, and more and more structures are built, you continue to impact our climate change. We need to have green areas and the old growth trees left in our environment.
5. We do not have adequate sidewalks now and/or no sidewalks in some of our single family housing areas now. Where will the additional people walk safely without adequate and safe sidewalks. When you only allow one parking space per unit, all the additional cars for each housing unit will end up parking on the streets. The side streets from Main Street up to 190th Street are already burdened with the additional parking from the residents in the high rise apartment structures that have been built between Main Street and NE 190th. Our side streets resemble the side streets in Seattle's housing neighborhoods. You no longer can have two way traffic on the side streets and it's very difficult to come out of the alleys where some of us have to access our parking as we can't see around the cars that are parked right at the entrances to the alleys.
6. The old sidewalks in Bothell have trip hazards on almost every street that the City of Bothell maintenance department does not repair until someone hurts themselves or contacts them. I believe that the voters approved additional taxes to improve our sidewalks a few years ago, but the only new sidewalk that I have seen is along Pop Keeney stadium. The other new sidewalks are because the contractors for the new high rise living units are required to put them in. If you expect the new residents to walk to the bus transit, who will pay to improve the sidewalks and make them safe, and put in more lighting?
7. When you are discussing the middle housing options, what size lots are you talking about that these units would be allowed on and how many stories would be allowed. I believe that only two stories should be allowed if they are built in single-family areas. Will these be allowed in the older residential area of Bothell that is single-family housing? My lot is 6,852 square feet and I have an older home that is 1200 square feet. My neighbors to the east have a 6,824 square foot lot with a house smaller than mine on the lot. What would be allowed on my neighbors lot if they sell it some day? Will a new duplex that takes over the entire lot be built? If so, then

that will impact drainage on my lot as they are slightly uphill from me and would also limit sunlight on my lot. I don't see in the summary that was written where lot size is addressed for what would be allowed with the new proposed changes.

8. In the older section of Bothell, we already have cottage housing by your definition (older, smaller homes such as mine) on small lots.
9. To truly have affordable housing per your definition in the proposed amendments, the percentage of affordable homes should be 75% of the homes and only 25% be the non-affordable homes. Bothell has become one of the most expensive places to buy housing in King County. On NE 189th, the corner lot had a duplex recently built on that lot. Each side currently rents for \$3,700 per month. This is not affordable housing. The lot next to it, had a supposed set of townhomes built on the lot and each unit sold for at least \$1.6 million. Again, this is not affordable housing. The other high rise side by side units that have been built and sold in our neighborhood have sold for at least \$1million plus. The average family cannot afford these new units. This goes for the rents for all the new units that have been built in downtown Bothell as well. One of my neighbors has her two adult children living with her as they cannot afford to rent or buy housing on their own. Each adult has an average paying job that supports businesses here in Bothell, yet they do not earn enough to buy or rent a place on their own in the community where they grew up and currently work.
10. I have lived in Bothell for 31 years now and have owned my house for a number of years and am nearing retirement. Since it is a small, older house, there is no way with the high cost of homes that I can afford to sell my house and move elsewhere in this state.
11. The utility costs here in Bothell have increased significantly over the years. Currently, 18.23% of my property taxes go to the City of Bothell and I am not sure what I receive for those taxes.

I would request that somehow you involve more of the residents that are going to be impacted by these proposed code amendments and limit the number of new middle housing units that can be built. Infrastructure requirements need to be accounted for first before allowing these amended code changes. As well as the impact to our climate and actually building the majority of the housing units as affordable units.

If you have questions on my comments, please let me know by email. If you would like to talk in person, we can set up a virtual meeting or we can set up a time to talk by phone.

The City of Bothell also needs to look at the changes that are in effect as of June 1st regarding the OPMA/PRA Emergency Proclamation. These changes were done through ESHB B29. I am the Superintendent/CEO for a Public Hospital District and have had our monthly Board meetings open to the public in person and/or via Zoom for a few months now.

Sincerely,

Ardis Schmiede

I support code amendments for middle housing options as outlined in David Boyd's memorandum dated July 20,2022.

Amending the codes would not only help ease the shortage of affordable housing, it would also allow for the creation of cottage housing and courtyard housing neighborhoods. These types of communities by design create small close-knit neighborhoods that so many of us long for and find so appealing. They are good for both humans and the environment.

My family has owned acreage in the Canyon Park area of Bothell since 1953. Because of the increase in property value and corresponding taxes we're going to have to sell part of the land. We always thought, as did my parents, that the land would remain in the family. Legacy property as I've learned it's called.

If the middle housing code amendments are approved, we would like to work with a developer to create a cottage community on our property. We feel that this would be the best use of the land and would contribute to a more livable and sustainable future for Bothell.

Thank you for your consideration,

Brett Downey
23421 3rd Ave. SE
Bothell, WA. 98021
425-420-5524
wa7ww@msn.com

Hello,

It is my desire to build an accessory dwelling unit (ADU) for my practice. I am in healthcare so the ADU would need to have water, electricity, and a bathroom. I have reviewed the permitting for this and have felt quite daunted by the costs and requests for data to complete the process. Please, amend the codes to make this less expensive and easier to accomplish.

Best regards,

Dennis LaMaster
206-322-2620

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dennislamaster.amtamembers.com

Dear Planning Commission Members,

Here are my written comments and unanswered questions regarding the “Middle Housing Code Amendments” continuation item on your agenda for your July 20th Planning Commission meeting. I am not able to attend as I have my own Public Hospital Board of Commissioners meeting on the third Wednesday of the month. I listened to the YouTube recording of the June 15th Planning Commission meeting and heard that Mr. Boyd would be answering the questions I had presented in my email regarding my comments regarding the proposed Middle Housing Code Amendments. So far, I have not had a response to my questions and I now have additional questions and comments after listening to the recording of the June 15th meeting. I will list my comments first and then delineate the questions that I hope Mr. Boyd (or one of the Planning Commission staff) will have the courtesy to answer in a timely manner.

Additional comments on the proposed Middle Housing Code Amendments:

1. I agree that you met the legal requirements of notifying the Bothell residents regarding the Imagine Bothell process by advertising in the Seattle Times. However, I do not believe that you met your ethical/transparency role in informing the Bothell residents without sending out direct communication in the form of an email or a letter to each Bothell address impacted by these proposed changes. You should be able to use the information in your computer system for the billing of our utilities as to whether you have people’s email address or need to use their mailing address in order to send out an initial direct communication to the Bothell residents. The initial direct communication should outline what is being planned and how the residents can respond and learn more by going to the various websites, etc. Hopefully, you will consider that process when you ask for our input on your 2024 Comprehensive Plan update.

Thank you for the suggestion. Given the extra time and grant for additional outreach, we will look into this and other suggestions for getting the word out to more Bothell residents.

2. It was very disappointing to hear in the discussion on the survey results that even though the majority of those answering the survey were not in favor of the Middle Housing Code Amendments being made in the single family dwelling areas that you are basically moving on so that those that desire to live in our wonderful Bothell can do so. I believe that you can come to a middle ground so that what people love here in Bothell can possible still be met. What those of us enjoy in our single family dwelling residences is space around us and a yard to go out and enjoy. If you continue with your current proposed building with minimal, if any, green space around the unit, whether it’s a cottage, a duplex, etc., then those people are not going to be enjoying a good place to live in. A great example of this is a young family that purchased one of the \$1.6 M townhomes up at the end of our alley who have a five year old son who now plays in the alley as he has no yard to play in. Thos of us who drive through the alley to our parking in the back of our houses are aware of him but many people who now use the alley instead on NE 190th are not aware of him playing in the alley. .So possible you could consider reducing the number of units allowed on the various sized lots that are in your proposed code changes and also maintain the current square footage needed between the buildings and the edge of the property. Keep the smaller sized lots (under 7500 sq feet) as single family dwellings. Or only allow the middle housing proposed changes in new subdivisions like what was approved on the Seattle Times lot.

Note that setbacks and height limits remain the same as those allowed for single-family homes, with exceptions allowing existing non-conforming setbacks to be extended, but not moved closer to lot lines, and allowing reductions accompanied by reciprocal increases to

allow retention of existing trees or other amenities. There was also a suggestion at the 7/20 hearing to make side setbacks a straight 5 feet and eliminate the combined side setback minimum of 15 feet.

3. I am also not in favor of the proposed middle housing code amendments being made in our older, existing single family dwelling areas as these lots were built with a certain level of utilities to handle what was built. I don't believe that our older, existing utilities will handle the additional increased housing being proposed. Where as new developments can build systems as they are approved for the building of the proposed units.

We are working closely with our utilities division as well as the other water and sewer district that serve Bothell. No concerns about capacity have been raised.

4. I heard the comment that was made that a number of cities have adopted similar code changes and the impact has not been substantial. Two to three years of data of minimal changes for these cities is not enough data to base a decision on.

Comment noted, and we will continue to monitor the experience in other cities and do additional analysis on the amount of change we can expect to see.

5. Inappropriate parking on the side streets also needs to be dealt with prior to adding any more housing in our single family dwelling area of Bothell. People park right up to the edge of our alley on both sides and close to the corners where there are intersections with the side streets. There needs to be signs put out informing people how to park correctly (how many feet back from an intersection, etc.) and then the parking needs to be enforced. There are a number of side streets where you can no longer have two cars drive coming towards one another. **Comment noted, and the proposed amendments do consider available street parking when allowing parking reductions.**

1. This comment relates to the bike plan. It looks like some type of bike lane is being proposed for NE 19th from 104th down to Bothell Everett highway. I don't see that NE 190th is wide enough to add a bike lane of any type and there is a high volume of traffic on our street. A number of cars definitely do not drive the speed limit on the road.

The draft Bike Plan is proposing protected bike lanes along 19th, 104th, and 190th at this time. A protected bike lane would include a bike lane between the landscape strip and the sidewalk and would be at sidewalk level. Implementation of the Plan and timing of projects is still to be determined. There is no width to do this without either removing parking or possibly expanding the right-of-way. Either way, this will not be determined until a project is identified.

Questions:

1. Under the current building codes, what can currently be built on a 6,200 square foot lot, how many stories can be built (what height can be built) and what are the current setbacks for what can be built?

The height and setbacks are determined by the zoning code. Single-family zones require a minimum 20' front setback, 15' rear setback and 5' side setback, with combined side setbacks a minimum of 15'. Heights are limited to 30', or 35' in some situations (3 floors)

2. Under the proposed Middle Housing Code Amendments, what will be allowed to be built on a 6,200 square foot lot, how many stories (again, what height) and what will the current setbacks be? And what parking needs to be accommodated on the lot and not on the street? **The building envelope will be the same, with some flexibility to modify side setbacks to match existing nonconformities and preserve existing trees and other amenities. Building height would be 35'.**

3. Our older existing single family dwelling neighborhoods were built with utilities to meet our needs. Have any studies been done as to the impact of the increased housing to our current water, sewer and electrical systems? If the middle housing code amendments are approved and the utilities need to be upgraded, who will pay for those upgrades? **We are working closely with our utilities division as well as the other water and sewer district that serve Bothell. No concerns about capacity have been raised. Any new development that requires upgraded utilities would cover those costs.**
4. Where is there a map that concerned citizens can actually look at after work hours to see the areas where the changes are being proposed. The online map is very difficult to see the whole picture and read, even with zooming in and out.
The online survey had a map showing potentially affected areas. We will get that map posted on the Middle Housing webpage.
5. Where is it specified in the building codes that a contractor has to deal with water runoff issues on to the adjacent properties when building a single family dwelling and any of the new proposed changes. If this is currently not addressed in current building code, will it be addressed in the proposed changes?
Those issues are addressed in BMC Chapter 18.05 Grading. No changes are proposed with the middle housing amendments.
6. Have you identified which of the current housing developments have covenants that will prevent these middle housing code amendments to happen?
We have not done that research at this time, but will do so in the next phase of the project.
7. Have any traffic studies been done on the impact of these changes.
No, traffic impacts will be addressed in the required State Environmental Policy Act checklist, which will be done and made available for comment prior to adoption.
8. When will the existing old sidewalks be fixed and new sidewalks put in where there currently are none so the current residents and new residents can have safe walking routes. Again, this is dealing with infrastructure needs prior to increasing the density of housing.
Any new developments or substantial redevelopments will require frontage improvements. Otherwise, sidewalk installation and repair is done as part of City programs, usually connected with Safe Walks to Schools standards and priorities.
9. Dealing with inappropriate parking due to lack of parking on the side streets also needs to be dealt with prior to adding more housing where the required parking is even less than currently required. How is this being evaluated?
Proposed parking reductions and exemptions are linked to demonstrated availability of on-street parking.
10. What are the next steps for the proposed Middle Housing Code Amendments? Will the Planning Commission recommend what they proposed to City Council without taking into consideration the results of the survey? When will the recommendation go to the City Council?
Planning Commission will continue the public hearing on Middle Housing amendments and may make a recommendation to Council on October 5. Planning Commission received the full survey results in the July 20 packet, with is posted online. A summary of the comments is being prepared, and ways in which the recommendations address the comments will be included in the October 5 packet. The schedule for Council consideration has not been determined.
11. How many Planning Commission members live in the residential areas that will be impacted by these proposed changes?
Four of the seven Planning Commissioners live in single-family zones that would be affected

by the proposed changes, one of the others lives immediately adjacent to a single-family zone, and other lives two lots away from a single-family zone.

I appreciate your time in listening to my additional comments? Again, feel free to call me at 206-715-5920 or email me if you would like to clarify my comments and questions. I look forward to answers to my questions .

Thank you for your time.

Ardis Schmiede

Planning commission,

There's so much wrong (and confusing) about this middle housing idea but here's some quick questions :

1. The Middle housing code amendments have not been well communicated to all Bothell residents. Especially those of us who have single family lots in a neighborhood of other single family lots. Add a flyer to the utility bills or send an email to inform all taxpayers of your initiative. Attach a link to the booklet. What are you hiding by being so hush hush with this?
2. Where's the study that identifies all Bothell impacts and estimates of middle housing conversion rates expected and in what areas? A study with hard numbers not touchy feeling opinions by developers or political and commission expectations that use words like hope, should, anticipate.... That's not real information. No fake data please.
3. Bothell density has been going up with all the new developments, some of which are still in work near downtown. More people equals increased crime and a destruction of the small town feel that makes Bothell a nice city to reside. This will lower the quality of life Bothell provides and there are university students that need a safe environment to learn.
4. All developments need parking on the development and not on the street. Something like 2 spots for every house minimum. We don't need more crowded streets which again changes Bothell's nature.
5. No reduction in setbacks allowed. I don't want to hear my neighbor's conversation or smell their dinner. Why are you offering any incentives for people to convert to middle housing? All effects are negative to current owners.
6. Why is this good for Bothell residents? Isn't that your main concern? It is not good for Bothell residents yet you are contemplating recommending this to the council. Most citizens do not want this as your own survey shows yet this is still being considered. Why?
7. What is going to happen to all the mature trees that will be removed which clean the air and soak up ground water? You are proposing a change that will be adding hardscape over now open soil on many lots and have you studied the run off issue this will create and the added flow in the storm sewer pipes?
8. Why do this city wide when much of Bothell has a nice suburban feel to it?
9. How has crime been impacted over the last 6 years? Has robberies, assaults, thefts increased in line with the new population? Are you proposing new fire stations and police officers to keep up?
10. Will all the normal impact studies be required for every middle housing permit change? Do you have any hard numbers on the various estimated impacts? On fire, police, crime, quality of life, traffic and most importantly cost of housing?
11. Who are going to pay for the housing subsidies? What I've seen is multi-family lots are not going at a discount but charge full market rate which is fair. Hoping adding more housing will lower costs is a fantasy reserved for WA politicians funded by developers donations.

12. Have any of the planning commission been influenced, gifted or compensated in any way by developers or building associations? Where were meetings held with them and if so where are the notes?
13. How will single family home owners adjacent to middle housing lots be compensated?

This change that impacts all single family home owners has no place in a rural city like Bothell. It does nothing for Bothell residents and clearly goes against their wishes.

This middle housing requires new taxation, or diversion of existing tax dollars, without a vote by Bothell citizens.

It must not be recommended to the council and must be rejected.

Carl Wellstein

I intend to attend the meeting, but some comments:

On the topic of parking requirements: The parking requirement for ADUs is severely limiting especially for conversions on existing single family homes. There's a strange duality where you have to add parking for the ADU, but the code also restricts you from adding parking beyond your own driveway, and I therefore have no way to cure the problem. Seattle, LA, and Portland all have 0 for ADUs and that program is a great success there. Also, parking space is not defined, while a compact space is 8 feet wide I was told it's 9 feet, but it's not codified. That makes things harder. I also have room in my driveway but the curb cutouts that were recently added by Spring Ridge (and I didn't ask for) make things hard as well. Here's my example - I want to convert the garage into a 2 BR ADU, but the parking requirement would stop me from doing that, even though I have street parking both in front of the house and to the side of the house (corner lot) that is literally never used (and I can prove that with Ring camera photos if needed). The question shouldn't be how many parking spaces should there be, the question should be would a reasonable person believe there's parking available for the ADU. The answer in this case is very obviously yes, and even if I had to just remove curb cutouts and use my own driveway I'd get to 4, but at the end of the day any reasonable person wouldn't think parking is an issue here. I own property in a multifamily dense zone in Monroe and there's cars lining the streets there, that I get, but this is a SFR zone and parking on the street is definitely not a problem at all. It's not even close. This requirement, especially with the duality of you need parking and can't add parking, will stop many conversions/projects from people willing to spend their own money to add housing units to the city, counter to the successful programs in Seattle, Portland, and LA. The proposed amendments do allow street parking but only if you're in the magic zone (which will not happen unless density increases and justifies the presence of a transit route) but also require parking is available on both sides of the street, something that is far beyond any homeowners realm of control. In my case, it's a brand new street with one side being designated a fire lane, this is common in new developments, so there's no chance I will ever get 'both sides'. I also did not want to even address the word 'paved' in the code - I guess the gravel driveway folks aren't even in compliance for the SFR. We also want better drainage but also ask for more paved parking. I don't remember seeing any runoff or pooling on my gravel driveway, yet it isn't paved or considered porous from a lot coverage standpoint, two distinctions I don't necessarily agree with from a practical standpoint, I even put driveway fabric. Fortune favours the bold, we need to be bold here where it makes sense, there's clear streets every night and tons of room to park, not just in the driveway but on the street.





On the topic of setbacks: I'm disappointed we didn't go to a straight 5/5 for the side setback. The "15 however you like it" requirement is pretty unique and creates real inconsistencies in lots: it depends on whoever drew it up, it can be 5/10, 7.5/7.5, or some weird thing in between creating irregular setbacks. It should definitely be just 5/5. This would be consistent with a ton of other jurisdictions both in WA and all over North America and allow more room for housing designs. This one isn't even close IMO from an argument standpoint, it's 5/5 just about everywhere. For front/back: I'm looking forward to a final determination, the more buildable land the better the options for building. With good enough setbacks I can probably fit another unit in and improve housing stock further. The code amendments at some point mention efficient use of land, let's be efficient, it works in many other places.

On the topic of building height: I was also disappointed to not see the 35 foot extended for middle housing. Growing in popularity is the townhome style with garage at the main level and the building above it, it is extremely difficult to achieve this without the extra height. Townhouses provide a home-like environment for people but with better use of land instead of say, neighbours above or below you in an apartment style.

In summary, we need to be bold here and get out of the way of people wanting to spend their money in Bothell and increase housing stock without destroying further forests as was done with Spring Ridge. Without the ability for people to do conversions, all we do is destroy more forests, create a bunch of (two) million dollar SFRs, increase sprawl, and create further reliance on cars. The problem makes itself worse. The goal should be "could this be practical" and if yes, the answer should be yes, instead of adding options but boxing in people willing to do something with restrictions (ex parking) beyond their control that make it impossible to achieve their goals.

Other than briefly renting for 1.5 years, Bothell's the first and only home I've had since landing here as an immigrant from Canada. What's proposed is still a massive leap forward, but I know we can do better here. We're so close. Let pragmatism win and let our citizens try to help here.

Justin Bouffard
Bothell resident since February 2010